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MULTIPLE OCCUPANCY.

Multiple Occupancy : A Cause for Concern?

by

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Submitted as part of  
the requirements for  
the Degree of Master  
of Philosophy.

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## CHAPTER 1.

### INTRODUCTION.

The dominant housing demand and need in our society is for single family dwellings. The occupation pattern of the housing stock reflects this by being principally composed of single family occupancies. The provision of house forms, both in the private and public sector, have thus tended to prioritise the satisfaction of this need and its concomitant type of occupation. There exists, however, a variety of specialised needs requiring different forms of housing with different occupation patterns often arising from them. Multiple occupation is one such deviation from the standard type of occupancy.

Multiple occupancy can be taken to mean the occupation of a dwelling by persons not forming a single household. This can be either more than one family or a number of single persons sharing a dwelling. The definition of such houses is examined in greater detail in Chapter 2.

Multiple occupation usually exists in the private rented sector and in stock adapted from its original use as single family accommodation. A comprehensive legislative framework has been devised over the years to control and set standards for houses in multiple occupation. The philosophy and reasoning for this legislation is twofold. It was devised to protect the tenants of such houses in terms of conditions and physical standards of living and has been drawn into the debate about the protection of tenants in the private rented sector of the housing market.

Houses without the standard amenities and facilities mandatory in new built schemes are officially classed as intolerable. Multiple occupation involves a sharing of amenities and as such is considered a sub-standard form of housing. It may also result in statutory overcrowding, the eradication of which forms a major part of official housing



policy. Thus the spirit of multiple occupancy legislation can be seen in terms of the general desire by Government to prevent physical decay in urban areas and enforce the right to an adequate standard of housing throughout the population.

Further rationale for this concern about multiple occupation stems from its existence predominantly within the private rented sector. Legislation to protect tenants from exploitation in private lettings is deemed necessary because of previous abuses. The era of Rachman illustrated the need for protection. The methods used by Perec Rachman, a private landlord operating in London, exploited the housing shortage by charging exorbitant rents for poor quality accommodation and evicting tenants unlawfully, often employing brutal and violent methods to do so. The scale of his operation, estimated in control of 1000 tenancies in 1959, and the ease with which his methods evaded jurisdiction convinced central Government and many local authorities to devise effective regulations for private lettings.

Multiple occupation was seen as part of the overall control of the private rented sector. Many unscrupulous landlords could overcrowd their properties and let houses without or deficient in amenities and facilities. Tenants of such properties were in the main those not able to enter the owner-occupation sector or not eligible or waiting for local authority accommodation. That is, the poorly paid, immigrants and disadvantaged. It was believed that the market would not upgrade itself, as landlords' sole motive was profit, thus comprehensive legislation was required to ensure that tenants were not abused or exploited in this way.

In Glasgow, multiple occupancy is seen as a reflection or an aspect of the long history of housing problems in the city and a major cause of urban decay. Although Glasgow did not experience exploitation of the Rachman type as excessively as, for example, London, the Labour administration attempted to prevent any exploitation of private tenants. These two

factors in particular, in addition to the above reasons, have resulted in the city setting regulations for multiple occupation requiring a high standard of amenities and conditions.

Despite the intention of the legislation, some discontent has been expressed about its application. Organisations, such as, Shelter, student unions and tenants associations have voiced concern about the difficulty of converting many properties to the required standards and about the after-effects on the tenants. It has been contended that the regulations are administered without regard to the needs and characteristics of tenants in multi-occupied properties.

The purpose of this study is to examine multiple occupancy with particular reference to Glasgow.

Chapter 2 discusses the evolution of the means of control of multiple occupation and compares the legislation in various local authorities. The situation in Glasgow undergoes detailed scrutiny.

In Chapter 3 the relationship of multiple occupancy to the housing market in general is examined in an attempt to assess the characteristics of the supply and demand of this type of accommodation.

Chapter 4 presents a series of case studies of houses which have been subject to enforcement of the regulations. The contents and issues raised by the case studies are analysed in Chapter 5.

Chapter 6 examines alternative forms of accommodation and suggested solutions to multiple occupation. It continues by attempting to bring the evidence and information of previous chapters together and offer recommendations for the future direction of legislative concern with respect to houses in multiple occupation.



## CHAPTER 2.

### LEGISLATIVE BACKGROUND.

Houses in multiple occupation are subject to complex problems of both a physical and social nature. Government representatives and officials at the national and local levels have recognized these problems. Thus a comprehensive legislation has been devised over the years to give local authorities a range of powers to deal with houses in multiple occupation specifically, in addition to universally applicable housing provisions on public health and conditions. The powers conferred by various Acts of Parliament are discretionary however, and thus their use is dependent on individual local authorities' attitude to and experience of multiple occupancy.

This chapter will examine the history of this legislative framework available to local authorities and will compare and contrast some of the schemes adopted by various local authorities, particularly with respect to the standards laid down for houses in multiple occupation. The regulations of the Corporation of the City of Glasgow (now the City of Glasgow District Council) will be traced historically to provide a perspective of the justification for, as well as the evolution of the standards of control used in Glasgow.

#### 2.1. Definitions and the Legislation.

The range of powers available to local authorities are not only comprehensive, but also complex. The complexity arises from continual amendments being made by Acts of Parliament to previous Acts and the position of Scotland as a separate legal entity from England and Wales. Not only are the principal Acts with sections covering houses in multiple occupation slightly different with respect to Scotland than England and Wales, but all the relevant Ministry



circulars, Management Regulations, text books on housing law and practice and the Journal of Planning and Property Law refer to England and Wales exclusively. Thus Scotland and England and Wales will be studied separately and Glasgow's approach will be scrutinized in detail to show how one local authority has used its discretionary powers.

The definition of 'houses in multiple occupation' has raised problems, and been subjected to various amendments and interpretations. Section 12 (1) of the Housing Act, 1961, states that a management code applying to houses in multiple occupation refers to "a house which is occupied by persons who do not form a single family".<sup>1</sup> And further Section 22 (1) of the same Act states a register of such houses would comprise

- " (a) of houses which are occupied by persons who do not form a single family, and
- (b) of buildings which comprise separate dwellings, two or more of which do not have a sanitary convenience and personal washing facilities accessible only to those living in the dwelling."<sup>2</sup>

The definition used in Scotland laid down in the Housing (Scotland) Act, 1966, section 100 (1) again refers to the discretionary scheme that local authorities may make of houses in multiple occupation, that is:

- "(a) of houses which, or a part of which, are let in lodgings, or which are occupied by members of more than one family; and
- (b) of buildings which comprise separate dwellings, two or more of which lack either or both of the following, that is to say, a sanitary convenience accessible only to those living in the dwelling and personal washing facilities, so accessible."<sup>3</sup>

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1. Housing Act, 1961, Section 12 (1)

2. *ibid*, Section 22 (1).

3. Housing (Scotland) Act, 1966, Section 100 (1).

Some criticism was voiced by local authorities of the definition "houses which, or a part of which, are let in lodgings, or which are occupied by members of more than one family", on the grounds that it was out of date and gave rise to confusion and difficulties in some cases. For example where houses were occupied by persons claiming some form of extended family relationship and where it appeared that, in fact, there were several households sharing unsatisfactory and inadequate facilities. Two cases illustrate the confusion existing over the definition of multiple occupancy at the time. In the case *Okereke v. Borough of Brent* (1966) 1 All E.R. 150 it was held that the important fact was the number of households in the house. And that a house was still in multiple occupation even if it has been converted to self-contained flats if there were two or more households in occupation. In 1967, the case *Holm v. Royal Borough of Kensington and Chelsea*, 1 All E.R. 289 concerned a two-storey residential property. One floor was let to a man and his wife, with the man's son and family living on the other floor under a sub-letting arrangement, whereby the son paid rent to the father who in turn paid both rents to the landlord and held the rent book in his name. The Local Authority served notice under Sections 15 and 16 of the Housing Act, 1961, requiring the landlord to carry out certain work to the premises. On appeal, the tenants' claim that the premises were occupied by one family, thus invalidating the terms of the notice, was upheld on the grounds that the house was occupied by one family irrespective of whether that family constituted more than one household or not.

The contradictions and confusion in interpretation, illustrated in the above two cases, led to a new definition of houses in multiple occupation in the Housing Act of 1969. Section 58 (1) of the Act states that:



"Any statutory provision referring (in whatever terms) to a house which, or part of which, is let in lodgings or which is occupied by members of more than one family shall have effect as if it referred to a house which is occupied by persons who do not form a single household."<sup>4</sup>

Although the word 'household' is not defined, a joint circular from the Ministry of Housing and Local Government and the Welsh Office, Circular 67/69 and 68/69, gave the following examples of what they consider the new definition as covering in particular:-

- (i) a house occupied by two or more households,
- (ii) a house occupied by a number of persons where the relationships between the various individuals resident at any one time are so tenuous as to support the view that they can neither singly or collectively be regarded as forming a single household; and
- (iii) a house which is occupied by one main household together with varying numbers of individuals who do not form part of that household. The principal example of this third situation is where a house is used for accommodating lodgers, although in certain circumstances an individual lodger might form part of a household."<sup>5</sup>

The circular goes on to state that "where a house is occupied by a family or a single person and where are also one or two lodgers fully "living in" as part of the family, they could be held to be part of one "household"; but catering for lodgers on any substantial scale as a business enterprise is likely to constitute multiple occupation under the new definition. It would be a question to be decided on all the facts of a particular case."<sup>6</sup>

Further guidance on a general basis may be taken from the census definitions of 'household':-

- (a) Any group of persons, whether related or not, who live together and benefit from a common housekeeping.
- (b) Any person living alone who is responsible for providing his or her own meals. However part (a) of the census definitions seems to add some confusion and ambiguity by introducing the "whether related or not" clause . It thus appears that

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4. Housing Act, 1969. Section 58 (1)

5. Ministry of Housing and Local Government 1969.

6. *ibid.*

many residential premises could be subject to differing interpretations as to whether they were to be defined as "houses in multiple occupation" and as such subject to powers of control, or not. This definitional paradox is not elucidated by Court of Appeal case studies (see above) thus the impression is given of a somewhat arbitrary definition open to interpretation by individual appeal Judges or reporters.

However the powers available to local authorities are more explicit, and contain the potential for strong action if necessary. The least cogent of these being the provision for all local authority to declare all, or a part of, its **district** to be subject to a registration scheme.<sup>7</sup> The scheme may prescribe the particulars to be registered and may make it the duty of persons prescribed by the scheme to notify the local authority if a house or building appears to be registrable or of any changes in the registered particulars. Further the local authority can require any person who has an estate or interest in or who lives in the house or building to state any information reasonably required for such a scheme. A registration scheme must be submitted to the Secretary of State for Scotland, or the Secretary of State for the Environment in England and Wales, for confirmation. It should be noted that although many local authorities have adopted registration schemes they have tended to be ineffective. This is often because the applications for registration are made for houses which are well managed, whereas most local authorities are more concerned with houses which are badly managed or over-crowded or lacking facilities, and thus have to be discovered either by a Department undertaking a survey or by complaints.

The ~~first~~ powers conferred by the Housing Act, 1961, Section 12, allows a local authority to make a "management order" (or "management code" in Scotland) in respect of a house in multiple occupation to ensure the person managing such observes "proper standards of management."<sup>8</sup> At least

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7. Housing (Scotland) Act, 1966, Section 100 and Housing Act, 1964, Section 64.

8. Housing (Scotland) Act, 1966, Section 103 (1)



twenty-one days before making an order under this section the local authority must serve notice of their intention, in writing, on the owner, any known lessee, and post such a notice in the house where it is accessible to the occupants. There are provisions for appeal against the order and for representations to be made. Within seven days of making the order the local authority must serve and post copies of the order in a similar way to the notice of their intention.

Regulations under this section, in particular, require the 'manager' of a house to which the order is made

"to ensure the repair, maintenance, cleansing and good order -

- (a) of all means of water supply and drainage in the house;
- (b) of kitchens, bathrooms and water closets used in common by persons living in the house;
- (c) of sinks and wash-basins used in common by persons living in the house;
- (d) of the roof and windows forming part of the house;
- (e) of common staircases, corridors, and passage ways;
- (f) of outbuildings, yards and gardens used in common by persons living in the house; and to make satisfactory arrangements for the disposal of refuse and litter from the house."9

The 'manager' is defined to include not only the owner or lessee receiving rents from tenants or lodgers, but also "the trustee, tutor, curator, factor or agent"<sup>10</sup> through whom such rents may be received. The term manager is strictly defined because of the difficulty in some instances of tracing the owner or lessee and it may be that the only person the local authority can find is the agent.

The Housing (Management of Houses in Multiple Occupation) Regulations 1962 deal with the general duties of the manager and occupants with respect to the matters specified (a) to (f) above. In practice, local authorities will not only make a management order or code but will also serve notice

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9. Housing (Scotland) Act, 1966, Section 103 (2).

10. *ibid.* Section 103 (4).

under Section 14 of the 1961 Housing Act or Section 106 of the Housing (Scotland) Act, 1964, requiring execution of works to make good neglect or bad management for rendering the premises reasonably suitable for such occupation. The facilities and amenities referred to are -

- natural and artificial lighting,
- ventilation,
- water supply,
- personal washing facilities,
- drainage and sanitary conveniences,
- facilities for the storage, preparation and cooking of food, and for the disposal of waste water,
- installations for space heating or for the use of space heating appliances,
- and for the proper and effective means of escape in case of fire.

Each local authority can set its own standards under this section, although the Ministry of Housing and Local Government circular 16/62 suggests guidelines on the general requirements felt necessary by the Ministry.<sup>11</sup> If the works specified in the notice are not completed within the period so specified (usually within twenty-eight days unless a longer time is fixed in determining an appeal) the local authority may themselves do the required work. And if expenses have been incurred in carrying out works, it is competent for the local authority to make a charging order against the person on whom the notice has been served in respect of such expenses. Further if that person wilfully fails to comply with the notice he shall be guilty of an offence and be liable on summary conviction. The usual provision for persons on whom a notice is served to appeal applies to this section.

Apart from minor miscellaneous provisions, two other powers exist under the Housing Acts. The first of these is concerned with the prevention or reduction of overcrowding in houses in multiple occupation. To do this a local authority can issue a direction limiting the number of individuals who

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11. Ministry of Health and Local Government, 1962.b



should live in the house, having regard to the facilities available. Parts of the house may be dealt with separately and separate limits applied to parts occupied by different persons. The local authority has the right to vary or revoke the direction at anytime, if works have been carried out.

The most far-reaching, and perhaps complicated, provision given to local authorities is that of making a 'control order' on a multiple occupied house. When circumstances warrant such a course to protect the safety, welfare and health of persons living in the house. As control orders are seldom brought into force and because of the complicated administrative procedures involved in such an action, a detailed examination of the powers will not be given. However the intention and general effect of a control order is straightforward - it is to allow the local authority to take possession of the house, subject to the rights of the occupants and exercise the management of the house for up to five years, assuming most of the rights of ownership. A control order comes into force immediately it is made, although the owner, lessee, manager and occupants must be served with a copy of the order. This procedure is deliberately peremptory, in order to protect tenants or residents who fear that if they invoke action by the local authority they will lose the benefit of the shelter that they have, whether or not it is inadequate or unsatisfactory.

A local authority can also control multiple occupancy under the Town and Country Planning Acts. The result of an appeal against the refusal of planning permission brought against Birmingham Corporation in 1963 which was dismissed illustrates the use of planning legislation. The grounds for dismissal were that the multiple occupancy of four persons in a house previously occupied by one family or person represented a material change of use involving development for which planning permission was required.<sup>12</sup> A policy note on development control in residential areas<sup>13</sup> and the Town and Country Planning (Scotland) Act, 1972, emphasise and

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12. Under the Town and Country Planning Act, 1962, Section 12 (3)a.

13. Ministry of Housing and Local Government, 1969 b.

clarify this point. Section 19 (3) in the latter states:-

"For the avoidance of doubt it is hereby declared that for the purposes of this section -  
(a) the use as two or more separate dwelling houses of any building previously used as a single dwelling house involves a material change in the use of the building and of each part thereof which is so used;"<sup>14</sup>

A more indirect, yet effective constraint on multiple occupancy arises from improvement grant provisions from the 1969 and 1974 Housing Acts. Grant aid is only available to houses in multiple occupation when the improvement works result in self containment. Thus in effect, no grant aid is made available for repair of multi-occupied houses.

It has been the purpose of this section to outline the range of powers and provisions available to local authorities with respect to houses in multiple occupation. Their interpretation and use by various local authorities, especially the City of Glasgow, is discussed below. Subsequent chapters will discuss the relevance and effectiveness of the legislation in dealing with the present character of multiple occupation. At this juncture, however, a justifiable comment on the legislation is that it is preoccupied with the historical nature and conceptions of multiple occupation. That is, the legislation has sought to protect families living in overcrowded and squalid conditions. However it has been asserted, and will be examined below, that the character of multiple occupation has radically changed to now comprise mainly of young single people. It would appear that the legislation has not recognised this change and is still geared to an earlier era.

## 2.2. Local Authorities Compared.

No definitive source is available recording the extent to which the discretionary powers outlined above have been implemented by local authorities. Multiple occupancy is not

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14. Town and Country Planning (Scotland) Act, 1972, Section 19(3)



a phenomenon found in all local authority areas; it is restricted in the main to the larger towns and cities and to inner areas within them, and private rented accommodation usually furnished within such areas. As the majority resident group is young single people, towns and cities which attract such people, often as a large student population, are most likely to have sufficient experience of multiple occupancy to warrant local concern in the form of implementing parts or all of the legislation. The cities with such schemes and controls compared in this section, Birmingham, Glasgow, the London Boroughs, Leeds, Leicester and Sheffield, are all of the type and structure typically containing a high degree of multiple occupancy, in relative terms. Glasgow is dealt with separately in Section 2.3. below.

Local authority initiative has taken the form of registration schemes and the setting of standards to be applied to houses in multiple occupation. The other powers available have been in practice ignored. The Ministry of Housing and Local Government Circular 16/62 in explaining the main features of the new provisions under the 1969 Housing Act offers guidelines to standards of facilities and amenities, although it is essentially a matter of judgement by the local authority as to what standards are appropriate to each district. The circular states<sup>14</sup> "ideally, each household should have its own kitchen, bathroom and water closet in self-contained accommodation, but for some time to come standards short of the ideal will have to be accepted in many areas and some sharing of facilities by households will be unavoidable in many houses."<sup>14</sup> The circular continues by suggesting, where sharing is unavoidable, that the sharing of kitchens should be minimized as far as possible. It adds that a useful guide for bathrooms and water closets is the hostel standard of two water closets and two baths

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14. To avoid confusion, the amendment of 'family' to 'household' by the Housing Act, 1969, has been substituted throughout references to this circular by the author.

14. Ministry of Housing and Local Government, 1962, Paragraph 34.

(or one bath and one shower) for every ten residents although it is recognised that in congested areas it may be necessary to accept something less.

A further idea of the requirements is suggested by the London Boroughs Association as a guide for adoption by London Boroughs. The guide is more specific with respect to requirements than circular 16/62. The salient features of the guide are broadly similar to the set of regulations for Sheffield reproduced overleaf. The only minor difference occurs in, item 3, where the London guide suggests two fixed baths or showers for each ten persons, irrespective of age. The standards and conditions for the City of Leicester are also very similar to those of Sheffield. The differences occurring again in the ratios of wash basin, fixed bath or shower and water closet per persons. The regulations of the London Borough of Lambeth adopt the same one: eight ratio of basic amenities to persons. It should be noted however that the requirements to be provided refer to each letting. The term letting is not defined, thus the Public Health Inspectorate's interpretation of what letting means, in practice effectively shapes the nature of these regulations. Birmingham however a city with long experience of and concern over multiple occupancy, has more complex and precise standards related to tightly defined modes of occupation. That is, whether, self-contained units with full amenities, separate occupancies sharing certain amenities and facilities, units not self-contained with full amenities or the taking in of lodgers slightly alters the level of standards to be provided. The standards themselves are in line with those of Sheffield, Lambeth and Leicester.

Registration schemes adopted in the cities mentioned above have applied to houses in multiple occupation, using the 1969 Housing Acts definition of the term. The schemes exempt certain types of occupation, namely, if the persons occupying the house form two households and if the house is not occupied by more than four persons, and ~~common lodging houses and property owned~~ by the council or Universities.



Standards for Single Person Accommodation in Houses in  
Multiple Occupation.

SECTION 15.

1. Natural and Artificial Lighting

Every habitable room, and wherever practicable every common staircase, bathroom and watercloset, landing and lobby shall be provided with adequate natural lighting. Adequate artificial lighting shall be provided in all parts of the house including main staircases, bathrooms, toilets, etc.

2. Ventilation

Ventilation shall be provided in all parts of the building up to the standard by the Building Regulations.

3. Water Supply and Personal Washing Facilities

A piped water supply direct from the public main, and a piped hot water supply, shall be provided in each separate letting, and be fixed so as to discharge over a wash-hand basin or sink.

There shall be provided a bathroom with a fixed bath or shower and a wash-hand basin for the use of every seven persons, or part of seven, resident in the house, and such bath or shower and wash-hand basin shall be provided with an adequate piped hot and cold water supply to each fitting.

4. Drainage and Sanitary Conveniences

A proper system of drainage shall be provided to the premises. One watercloset shall be provided to each multiple of five persons or part of five..

At least one watercloset shall be separate from any bathroom accommodation and all waterclosets provided shall be readily accessible from the lettings for which they are intended.

5. Facilities for the storage, preparation and cooking of food and for the disposal of waste water.

There shall be provided within each letting a wash-hand basin or sink, such appliance being fitted with a suitable waste pipe discharging into the drainage system.

Except where the residents are boarders (i.e. rent includes provision of meals), each occupier shall be provided with a separate ventilated food store or refrigerator.

Except where the residents are boarders (i.e., rent includes provision of meals), there shall be provided an efficient cooking stove or stoves with oven adequate for the use of the persons for whom intended, in a properly equipped kitchen fitted with sink and drainer and hot and cold water. Such cooking stoves shall be provided at the rate of one for each multiple of four occupiers, or part of four, and unless a separate dining room is provided readily accessible from the kitchen, a kitchen so equipped shall be provided on each floor.

6. Installations for Space Heating or for the use of Space Heating Appliances.

In every habitable room, there shall be provided satisfactory

6. (contd.)

means of heating, whether by solid fuel burning appliances, electric appliances, fixed gas appliances, or other suitable means which comply with Clean Air requirements including the provision of smokeless ignition to solid fuel burning appliances.

Public Health Department,  
Town Hall Chambers,  
SHEFFIELD, S1 1EH.

12th January, 1971.

FMC/EJD.



Before 1969, Sheffield and Leicester operated voluntary registers, but since the Act, compulsory schemes have been implemented. Birmingham's scheme has been in operation since 1965 and is perhaps, on paper, the most successful in terms of the number of houses either improved or closed down because of the Corporation's tight control.

The registers have provided a major source of detailed information for research on the character of multi-occupied houses in Sheffield and Leicester.<sup>17</sup> This research reported a change in the nature of multiple occupancy from being largely occupied by families as a result of the overall housing shortage in the past to having now become a major source of housing young single people. This group consisted of students, single workers and trainees, new arrivals to the cities and especially in Leicester, such houses often performed a reception function for foreign immigrants usually single men who when their families joined them at a later date, moved out to conventional family dwellings. Thus registration schemes can provide local authorities with detailed statistical information for research into houses in multiple occupation and their residents, as well as being a method, although not always a very effective means of discovering those houses in need of further attention due to bad management, overcrowding or a lack of facilities.

### 2.3. Legislation in Glasgow.

Glasgow Corporation's statutory powers dealing with multiple occupancy can be traced back to the nineteenth century. The early characteristics of overcrowding and appalling conditions experienced in such houses were first tackled by the Glasgow Police Act, 1866 for the ticketing of small houses. In 1904 there were 19,919 ticketed houses in the city. Mr. Fyfe, Sanitary Inspector, in evidence to a

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17. Raper, M., 1974.

Municipal Commission defined a ticketed house as:

"a house which has been measured and bears on the outside of the door a metal ticket showing its rotation number in the property, the total number of cubic feet of free space, and the number of adults allowed, a child under ten years being designated by one-half."18

Conditions have certainly improved since then, and we are unlikely to see a repeat of the Sanitary Department's midnight visits to check that the number of occupants stipulated on the ticket was being adhered to as a means of control.

Another class of housing deserving of attention by the Commission was the farmed-out house. Again Mr. Fyfe supplies the definition:

"a house of one or two apartments, which the real tenant does not occupy, but furnishes in order to let it to a sub-tenant at so much a night or so much a week."19

That is, what would now be termed private rented furnished accommodation. The 1964 definition is more precise, it declares a farmed-out house, if premises -

"(a) are used or let or rented as one or more separate furnished or unfurnished dwelling houses or apartments; and  
(b) either from their construction or condition or the manner in which they are or are proposed to be used requires special supervision in the interests of public health and sanitation."20

In 1904, farmed-out houses were said to be mostly of the type

"where the house and its appurtenances, originally designed for the requirements of one family, are now shared by two, and each apartment becomes a one-roomed house under the worst possible conditions."21

Statutory powers existed under the Public Health (Scotland) Act 1897, to regulate such houses in terms of building standards. The Glasgow Police (Amendment) Act of 1890 and

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18. Glasgow Municipal Commission on the Housing of the Poor, 1904, p.2.

19. *ibid.* p.3.

20. Glasgow Corporation consolidation (General Powers) order 1960, relating to "Farmed-out Houses" 1964.

21. Glasgow Municipal Commission on the Housing of the Poor, 1904, p.3.



the Glasgow Building Regulations Act of 1900 required persons who proposing to increase the numbers of occupancies to make application for a decree to the Dean of Guild Court. Thus present day powers can be seen to have their origins firmly in the nineteenth century legislation on farmed-out houses, made down houses as they were also known and ticketed houses.

In September 1961, a special sub-committee of the Corporation's Health and Welfare Committee was set up with a remit to consider and report on the drafting of proposed bye-laws for farmed-out houses. This they did and drew up the bye-laws reproduced overleaf, which were accepted by the Corporation in 1964 and repealed all bye-laws previously relating to farmed out houses. Although the standards set appear to be low, for example item 8 specifies that only cold running water need be provided, some dubiety exists as to whether interpretation of the laws might considerably raise the standards required. In item 9 the 'apartments separately let' clause is not defined, thus open to an interpretation in some circumstances, particularly single room or bedsitter accommodation, where one water closet would be required for every three persons. Item 4 is also dubious in terms of today's societal values. To legislate against cohabitation is not in harmony with the moral judgements of a sizeable proportion of society and the accepted life-style of a minority, tolerated by many. However apart from these two ambiguous items, the bye-laws in general set a low standard that was to be later amended.

The Consolidation Order also included the provision for a register of farmed-out houses. The information required was the names and addresses of the owner, factor, tenants, sub-tenants and keeper of such a house, the number of apartments, and the maximum number of persons who may occupy the house. Registration was assigned to the Public Health Department as under their jurisdiction and control.

A development in the following year, 1965, tightened the powers. In April houses in multiple occupancy were

BYE-LAWS WITH RESPECT TO FARMED-OUT HOUSES.

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In virtue of the powers contained in the Glasgow Corporation Consolidation (General Powers) Order, 1960, the Corporation of the City of Glasgow (hereinafter called "the Corporation") make the following bye-laws viz:-

Interpretation of terms.

1. In these bye-laws the several words and expressions shall have the respective meanings assigned to them in the Glasgow Corporation Consolidation (General Powers) Order, 1960, unless there be something in the subject or context repugnant to such construction.

Procedure relating to application for renewal of registration.

2. An application for renewal of registration of a farmed out house shall be made in writing in the form set out in the First Schedule to these bye-laws and lodged with the Town Clerk not later than the fifteenth day of March in each year.

Keeping and well-ordering of farmed-out houses.

3. The keeper of a farmed-out house shall not permit any animal, bird or other livestock to be kept in such house so as to cause annoyance to the occupiers thereof or so as to render the condition of such house or lobbies, passages, stairs and precincts thereof filthy or unwholesome.

4. Persons of different sexes above the age of ten years shall not occupy the same sleeping apartment therein, except in the case of husband and wife, and it shall be the duty of the keeper of the farmed-out house to ensure that provision of this bye-law are not contravened.

5. The keeper of a farmed-out house shall ensure that all apartments are maintained in a cleanly condition and without prejudice to that generally shall cause the floors of the common stairs, lobbies and passages within such houses to be swept daily and washed twice weekly.

6. The keeper of a farmed-out house shall keep posted up in a conspicuous place in such house for the inspection of the occupiers a copy of these bye-laws.

Number of persons who may occupy a farmed-out house.

7. The keeper of a farmed-out house shall not let or suffer such house or any apartment therein to be let or to be occupied by a greater number of persons than in the proportion of one person of the age of ten years or upwards for every forty square feet of floor space therein or of one person of an age less than ten years for twenty square feet of floor space therein.



Drainage and water closet accommodation.

8. The owner of a farmed-out house shall provide for every apartment or suite of apartments separately let a sink supplied with cold running water, connected with the drainage system and situated in a well lighted and ventilated place other than the bathroom or water closet compartment and shall ensure that the sink and all the necessary fittings shall be maintained in a satisfactory condition.
9. The owner of a farmed-out house shall provide at least one water closet in the ratio of one water closet to every three apartments or suites of apartments separately let, and such water closet accommodation with all the necessary fittings shall be maintained in a satisfactory condition.
10. The keeper of a farmed out house shall not let or suffer such house or any apartment therein to be let or to be occupied in contravention of Bye-laws 8 and 9 above.

Light and ventilation.

11. The keeper of a farmed-out house shall cause the windows of such house to be kept in such a state of cleanliness as to secure for such house and every apartment therein and for the lobbies and passages therein the maximum of light during the day and shall provide sufficient means of artificial lighting.
12. The keeper of a farmed-out house shall ensure that at all times there is an adequate means of ventilation for all rooms, lobbies and passages and stairs.

Cleanliness.

13. The owner of a farmed-out house shall keep the plaster of all the walls and ceilings and all the woodwork in such house and in every apartment therein in a state of good repair so that the surfaces thereof may be properly cleansed.
14. The keeper of a farmed-out house shall cause the floors and all fittings and furnishings in such house to be kept clean and in a state of good repair.
15. The keeper of a farmed-out house shall cause the walls and ceilings of such house and every apartment therein to be regularly cleansed and when necessary to be redecorated.
16. Each occupier of a farmed-out house shall ensure that no domestic refuse is permitted to accumulate within the room or rooms occupied by him, and it shall be the duty of the keeper of the farmed-out house to ensure that the provisions of this bye-law and of Part II of the Glasgow Corporation Consolidation (General Powers) Order, 1960, and the bye-laws made thereunder are complied with in so far as the said Part II and the said bye-laws made thereunder place responsibility upon the occupier of any premises.

Obstruction on stairs.

17. The keeper of a farmed-out house shall not cause or permit any obstruction to be erected or placed in or on any part of the common stair, lobby or passage leading to such house or any apartment therein and shall remove or cause to be removed any such obstruction which may have been so erected or placed.

Occupation of apartments.

18. The keeper of a farmed-out house shall not let any apartment or any room in such house to which entry can only be had directly from or through another apartment or room to any person or family other than the person or family occupying such other apartment or room; nor shall he permit any other person or family to occupy any apartment or any room so situated.

19. The keeper of a farmed-out house shall not permit any person under eighteen years of age to reside therein unless he or she resides with his or her parent, guardian or spouse.

Fittings and Fixtures.

20. The owner of a farmed-out house shall provide in each apartment or suite of apartments separately let a suitable cooking stove connected to the mains supply.

21. The owner of a farmed-out house shall provide means of space heating in each occupied apartment.

Inspection of Farmed-out houses.

22. Any occupier of any part of a farmed-out house shall at all times give free access to such part to the Medical Officer of Health or Sanitary Inspector or other duly authorised officer of the Corporation and shall not obstruct or cause or permit to be obstructed any such officer or inspector in the course of his inspection.

Registration.

23. The owner, tenant, sub-tenant or other person who has or acts in the care or management of a farmed-out house shall within fourteen days of the receipt of a notice of the passing of a resolution in terms of section 137, subsection (2) of the Glasgow Corporation Consolidation (General Powers) Order 1960, or within fourteen days of the determination of any appeal in connection with such resolution, lodge with the Town Clerk an intimation in the form of the Second Schedule to these bye-laws.

24. Any person who becomes the owner, tenant, sub-tenant or keeper of a farmed out house shall within fourteen days of so doing lodge with the Town Clerk an intimation in the form of the Second Schedule to these bye-laws.



Registration of occupiers.

25. The keeper of a farmed-out house shall enter in a register to be kept by him the names and occupations of all the persons occupying the said house and each apartment therein and shall keep the same open to inspection by the Medical Officer of Health, the Sanitary Inspector or other officer duly authorised by the Corporation for the purpose.

Repeal of former bye-laws.

26. All bye-laws formerly made by the Corporation relating to farmed out houses are hereby repealed.

Sealed with the Common Seal of the Corporation of the City of Glasgow and signed by us two members of the said Corporation and by me the Town Clerk of the said city all for and on behalf of the Corporation of the City of Glasgow this twenty-first day of November Nineteen hundred and sixty-three.

(signed) J. DAVIS, Member.

(signed) A.M. PATRICK, Member.

(signed) ALEX. ROOKE, Town Clerk.

declared farmed-out houses in terms of the consolidation order and thus subject to the bye-laws and registration. In June, Councillor Samuels proposed a motion, which was passed, that the Corporation take action to prevent further spread of the exploitation of citizens living in multi-occupied houses. This led in 1966, to the proposal of setting up a registration scheme solely for houses in multiple occupation, suggested by Baillie McMillan. The Health and Welfare Committee agreed, however, to take no action on the matter.

On October 30th, 1972, the planning sub-committee on the Development Plan, decided to implement a set of almost impossible conditions for the sub-division of houses. This decision was ratified by the full Council on November 23rd, 1972. The standards only apply to those houses brought into use as multiple occupancy after the end of 1964. If sufficient evidence can be provided of the house being used as such prior to 1964, an Established Use Certificate is granted enabling the house to continue in multiple occupancy. However all others must conform to the following standards -

- "(a) A separately ventilated compartment to accommodate a water closet, a bath or shower and a wash-hand basin, to the satisfaction of the Chief Sanitary Inspector;
- (b) A separately ventilated compartment for cooking purposes, equipped with a sink, provided with a satisfactory supply of hot and cold water, and adequate facilities for food storage, to the satisfaction of the Chief Sanitary Inspector;
- (c) living and sleeping accommodation to be provided to the satisfaction of the Chief Sanitary Inspector, the Master of Works and the City Architect, the sleeping accommodation to be adequately screened from the living accommodation and;
- (d) one car parking space to be provided for each unit and to be sited to the satisfaction of the Director of Planning and the City Engineer."

These standards apply to the sub-division of residential properties into dwelling units, and must form self-contained units by the works. A unit represents one family in the case

of shared family accommodation and one person in the case of single persons sharing accommodation.

The Corporation administers these standards at present through an ad hoc system, that is, only acting when cases of suspected multiple occupation are brought to their attention by some means. Usually this is by neighbours' complaints, in writing or by telephone, sometimes anonymously. Then a retrospective application for planning permission is made on behalf of the house, on the grounds that there has been a material change of use, and declared illegal in this manner. Alternatively the application will be rejected for failing to comply with the above standards. Kathleen Rantell said of this "in the majority of cases it is a practical impossibility for existing accommodation to be brought to this standard."<sup>23</sup>

The evidence suggests that the standards are very high. The obvious danger is that few of the existing houses in multiple occupation will be able to comply with the standards thus creating severe problems and hardship for the tenants in this type of accommodation. In subsequent chapters we will look at the supply and demand of such accommodation and a series of case studies of multiple occupancies affected by the legislation, before reaching a judgement as to whether the multiple occupancy provisions are unnecessarily severe.

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23. Rantell K., "Bed-sitter Blight", Glasgow Herald, October 1974.



## CHAPTER 3.

### MULTIPLE OCCUPANCY IN A GENERAL HOUSING CONTEXT.

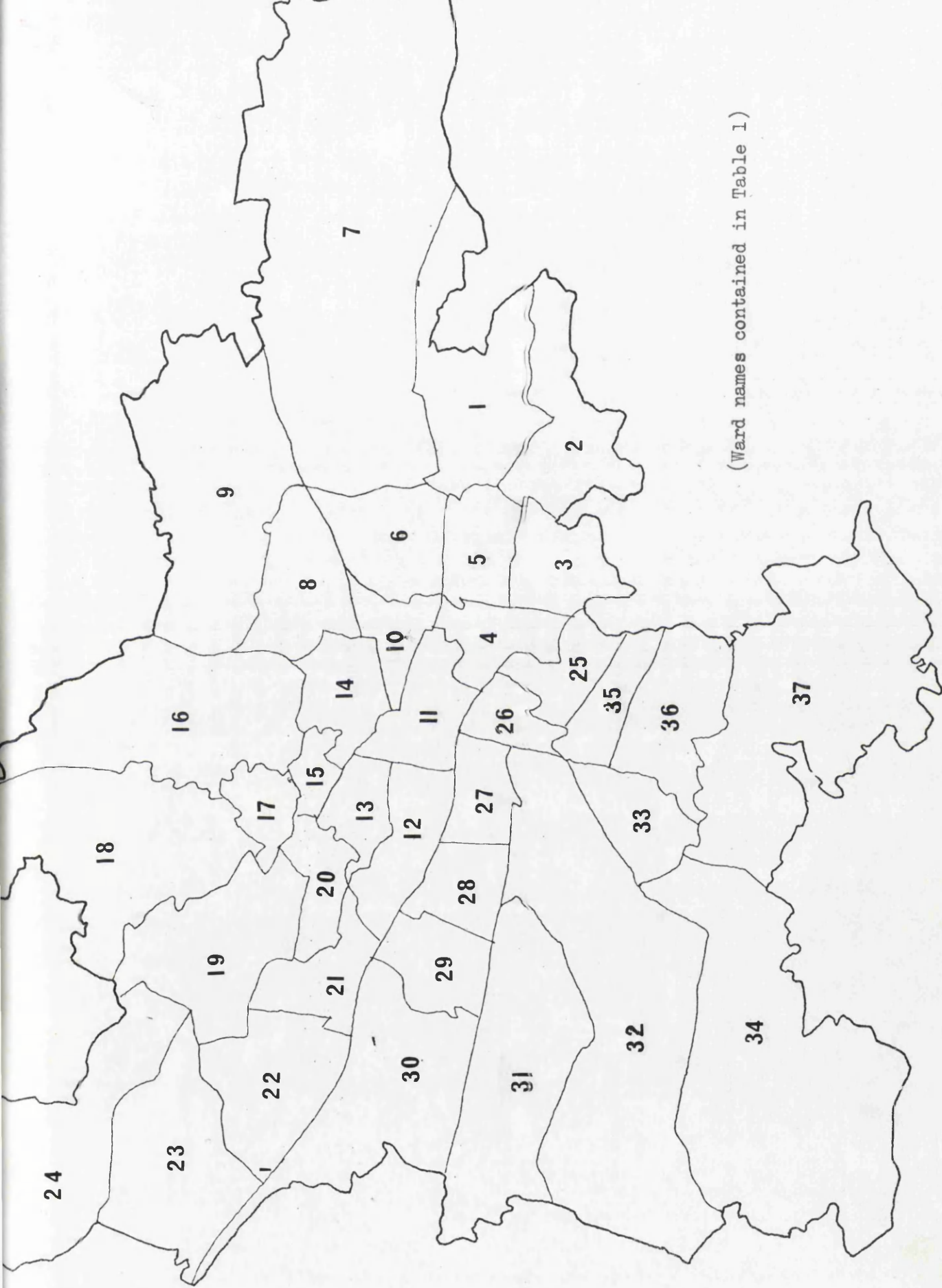
The Tenant's Survey of the Report of the Committee on the Rent Acts (1971) led to the firm conclusion that "the furnished sector provides quite a different type of accommodation from that of the unfurnished sector."<sup>24</sup> It is within the furnished sector of these two components of private rental tenure that the majority of houses in multiple occupation occur. Maps 1, 2, 3, 4 and 5 with the accompanying Table 1 and 2 illustrate this for the City of Glasgow. Although the wards with the highest proportions of furnished and unfurnished private rented accommodation coincide quite closely, 69% of the total number of shared dwellings in 1971, in Glasgow occur in the former. Of the total of almost 10,000 households in this tenure class, 26% were in shared dwellings. No accurate figures are available on the number of people living in houses in multiple occupation, but the census material permits an informed estimate of 8,000 to 9,000 people. Thus the scale of the domain of this study in terms of households and population can be perceived.

#### 3.1. The Supply of Private Rented Furnished Accommodation.

In the decade 1961 to 1971 private rented accommodation as a whole substantially diminished in Glasgow, from a share of 44% to 23% of all tenures in the ten years period. This trend is a mirror of the national situation. The national pool of privately rented dwellings fell from 3.7 millions in 1961 to 3 millions in 1966, and is currently estimated at just under 2.5 millions. The unfurnished sector has declined at a greater rate than the total, with a concomitant

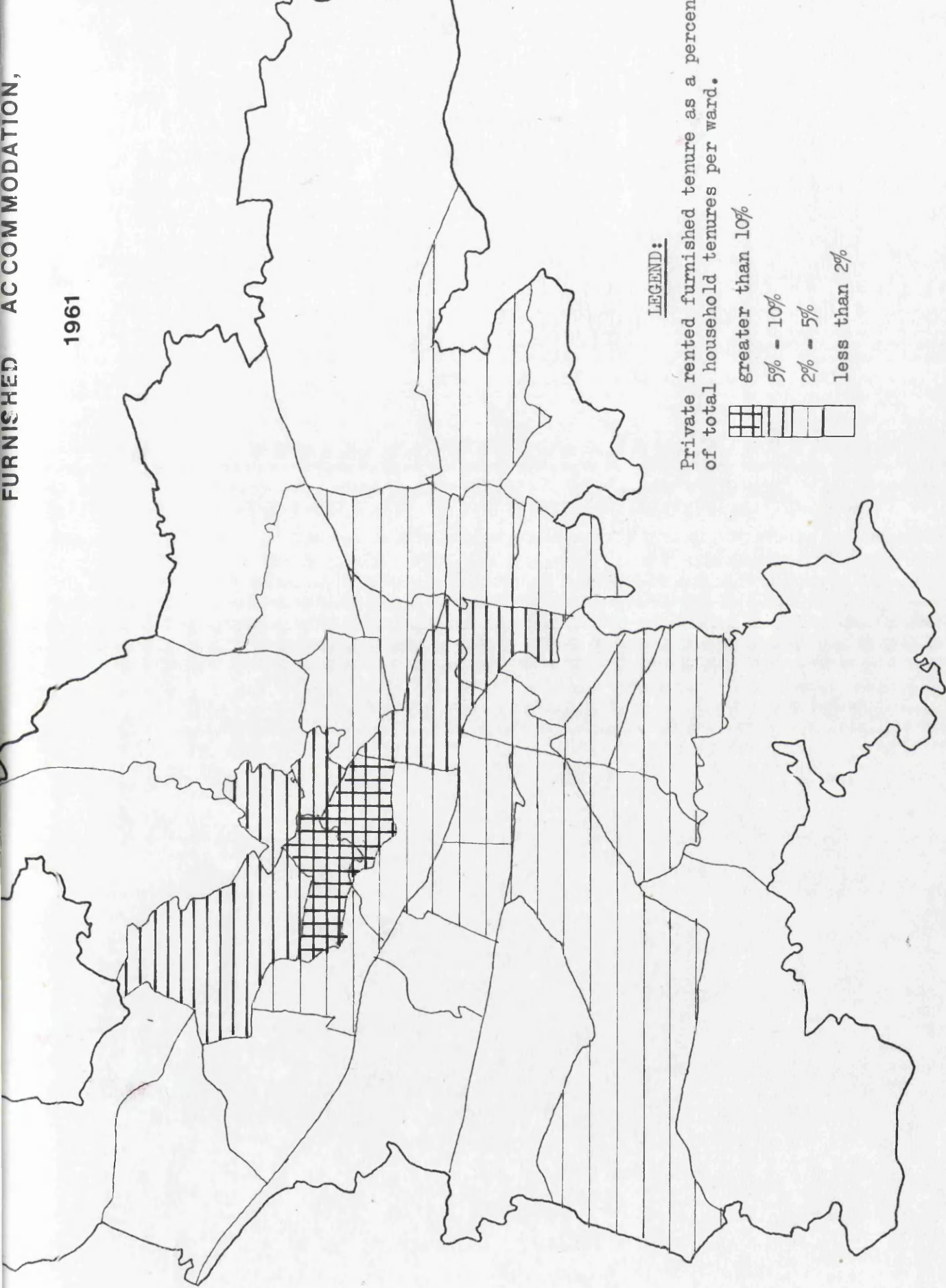
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24. Report of the Committee on the Rent Acts, (1971),  
p.130.



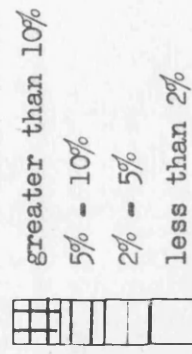
(Ward names contained in Table 1)

1961

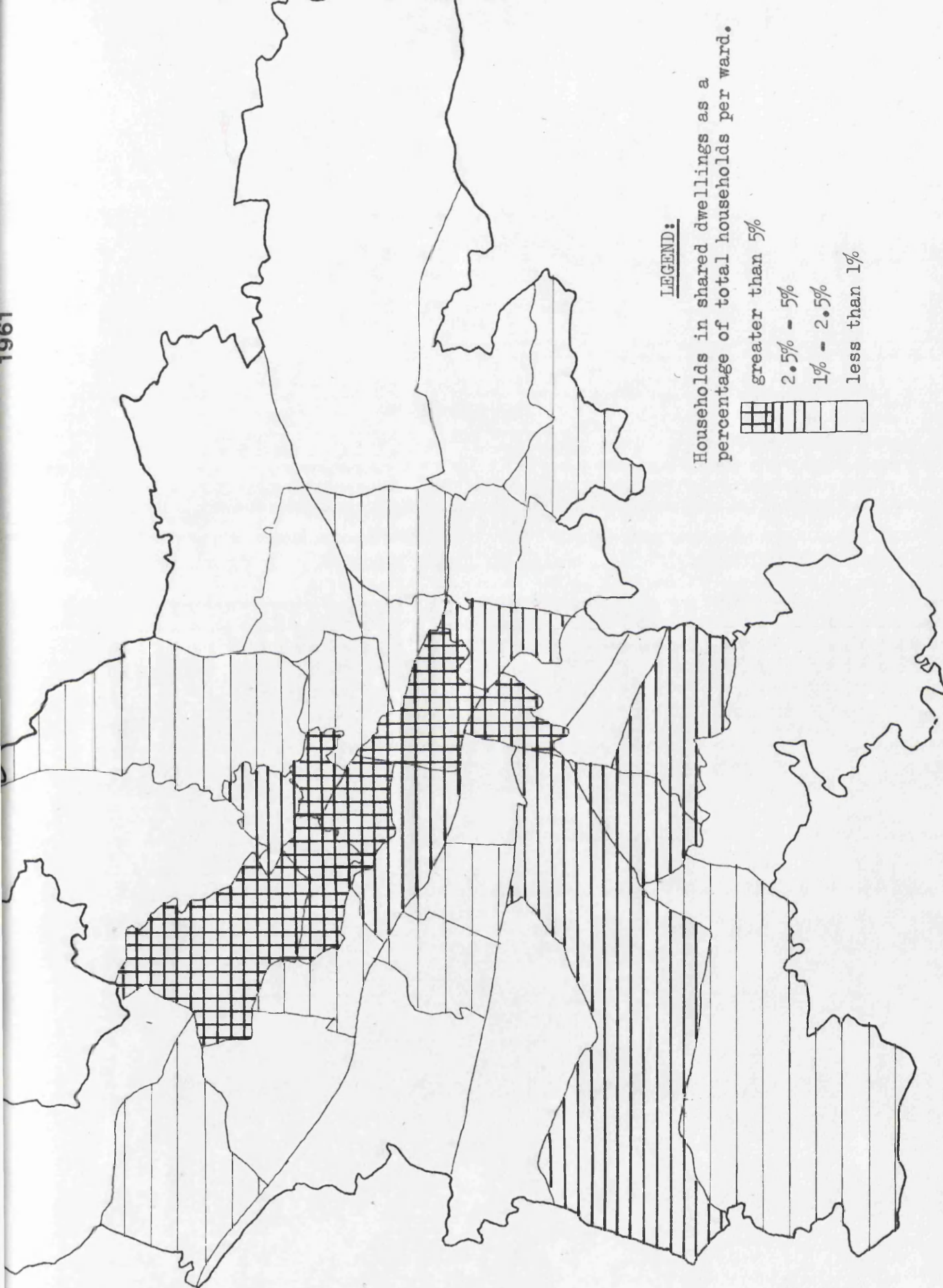


LEGEND:

Private rented furnished tenure as a percent  
of total household tenures per ward.

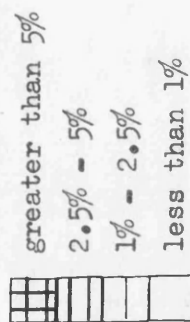


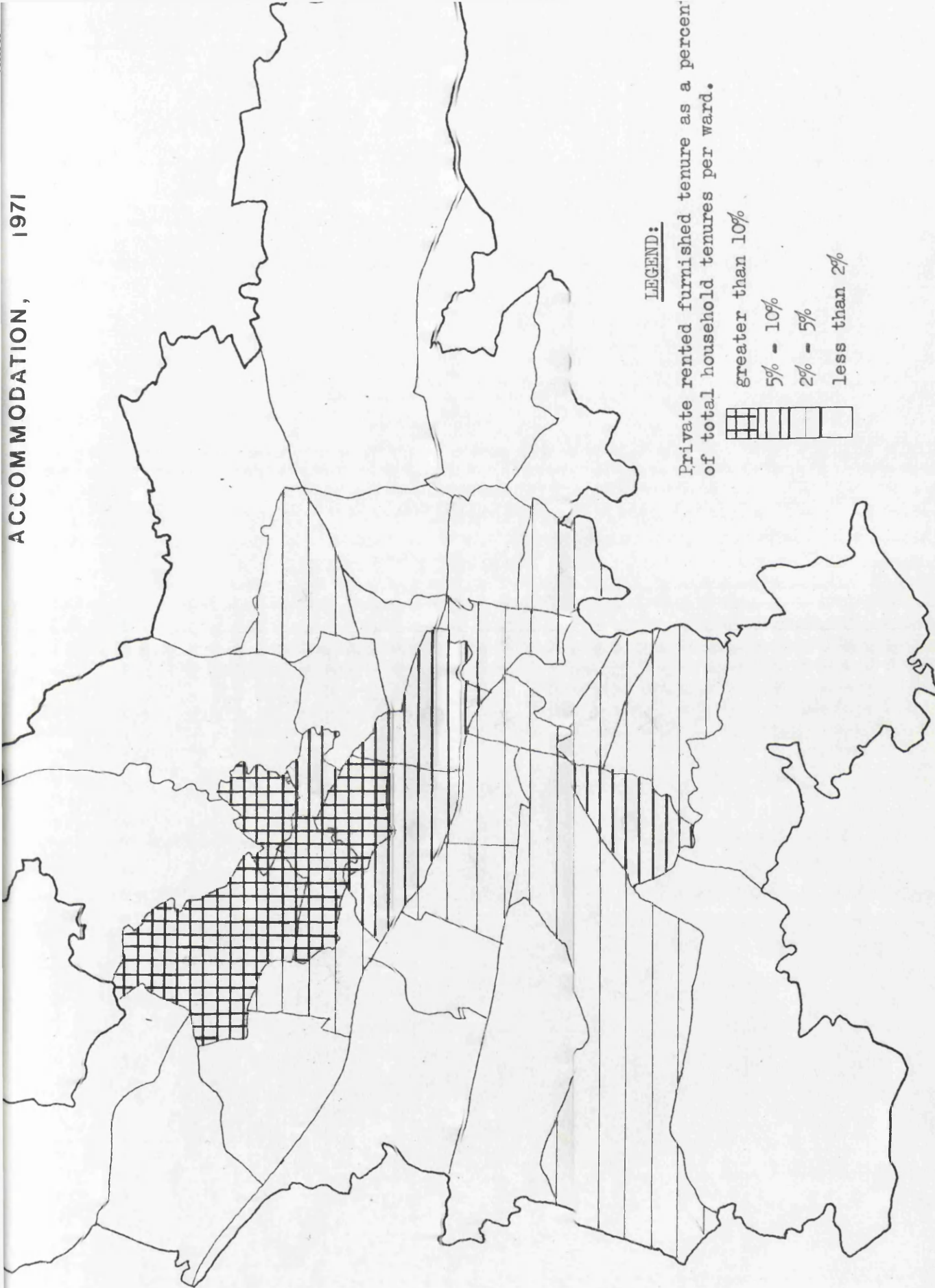




LEGEND:

Households in shared dwellings as a percentage of total households per ward.



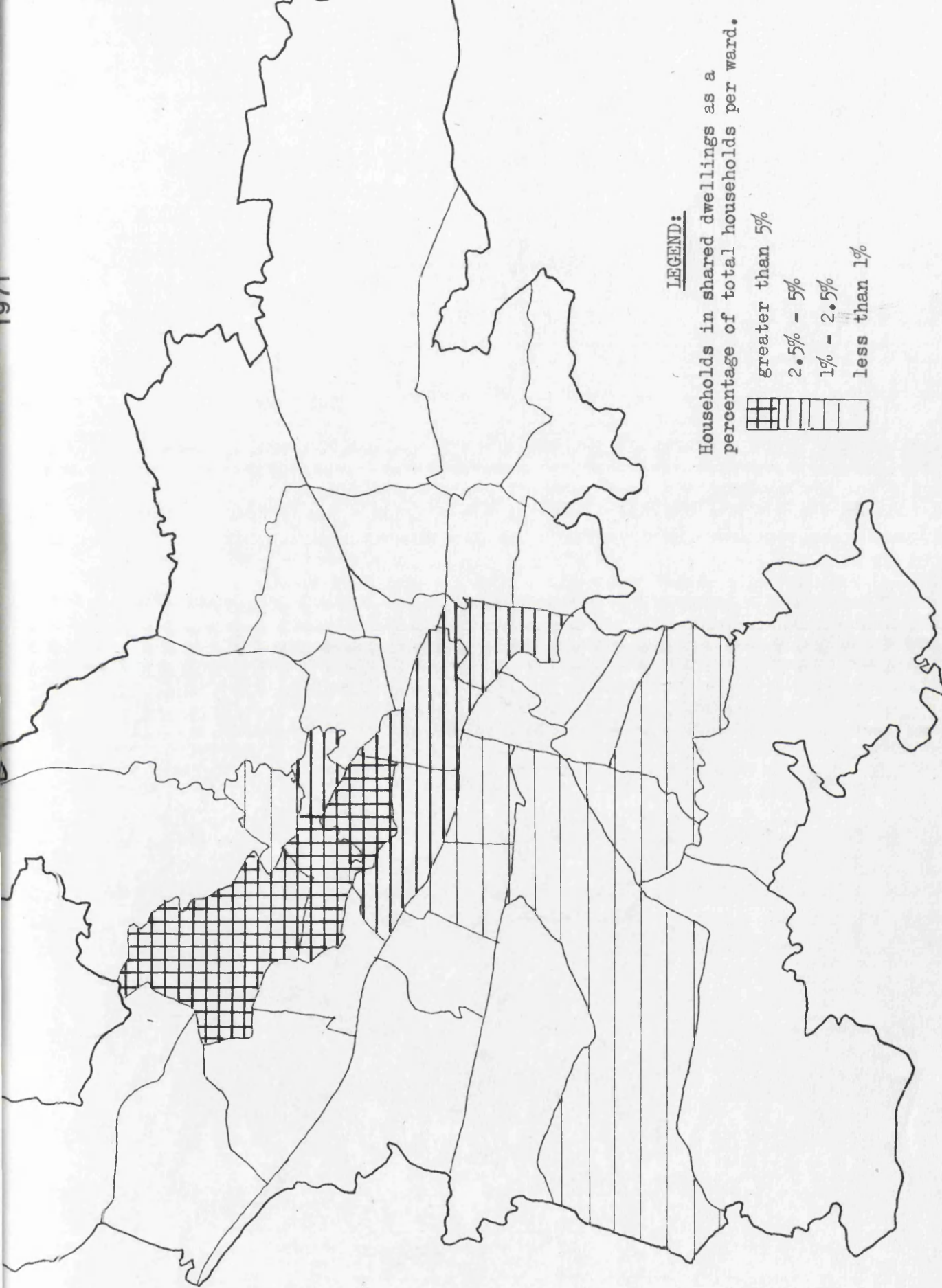


LEGEND:

Private rented furnished tenure as a percent  
of total household tenures per ward.

greater than 10%  
5% - 10%  
2% - 5%  
less than 2%





LEGEND:

Households in shared dwellings as a percentage of total households per ward.

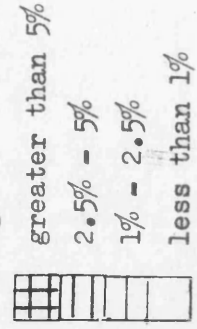




TABLE 1. : 1961.

Ward number	Ward.	Private Rented Furnished Accommodation		shared dwellings.	
		number.	% of total households.	number	% of total dwellings.
1	Shettleston & Tollcross	287	2.2	128	1.0
2	Parkhead	60	1.0	114	2.0
3	Dalmarnock	227	2.2	36	0.3
4	Calton	353	5.7	265	4.2
5	Mile-end	276	2.8	56	0.6
6	Dennistoun	167	2.1	122	1.5
7	Provan	49	0.3	119	0.6
8	Cowlairs	106	1.5	26	0.4
9	Springburn	88	1.0	92	1.0
10	Townhead	299	3.6	182	2.2
11	Exchange	175	5.3	197	5.9
12	Anderston	272	4.1	327	4.8
13	Park	643	10.4	1146	17.9
14	Cowcaddens	152	2.6	85	1.4
15	Woodside	432	6.5	368	5.4
16	Ruchill	95	0.8	223	1.8
17	North Kelvin	393	5.1	350	4.3
18	Maryhill	89	1.2	46	0.6
19	Kelvinside	549	7.6	896	11.9
20	Partick East	777	11.0	1275	17.5
21	Partick West	214	2.8	91	1.2
22	Whiteinch	70	1.0	58	0.8
23	Yoker	49	0.6	106	1.3
24	Knightswood	37	0.3	72	0.5
25	Hutchesontown	120	1.8	28	0.4
26	Gorbals	299	4.3	451	6.3
27	Kingston	130	2.1	59	0.9
28	Kinning Park	196	2.7	174	2.3
29	Govan	149	1.9	112	1.4
30	Fairfield	62	1.0	14	0.2
31	Craigton	79	0.7	97	0.9
32	Pollokshields	210	2.2	368	3.9
33	Camphill	376	4.9	381	4.8
34	Pollokshaws	97	0.8	129	1.0
35	Govanhill	205	2.4	84	1.0
36	Langside	225	2.5	273	2.8
37	Cathcart	161	0.9	140	0.8
Glasgow		8168	2.51	8690	2.67

TABLE 1 (contd.) : 1971.

		Households in private rented furnished accommodation.		Households in shared dwellings.		% of PRFA in shared dwellings.	Calcula- tion of multiple occupancy.
		% of total house-		% of total house-			
Ward number.	house- hold.	number.	holds.	number.	holds.		
1	12,070	95	0.8	25	0.2	5.3	0.1
2	6,455	60	0.9	20	0.3	8.3	0.2
3	7,085	170	2.4	10	0.1	5.9	0.1
4	4,020	180	4.5	135	3.4	61.1	2.4
5	6,390	120	1.9	5	0.1	4.2	0.1
6	7,730	170	2.2	10	0.1	0	0
7	20,810	20	0.1	25	0.1	50	0.1
8	7,705	170	2.2	25	0.3	11.8	0.1
9	9,095	45	0.5	5	0	0	0.1
10	3,905	50	1.3	0	0	0	0
11	2,070	130	6.3	75	3.6	42.3	2.4
12	3,320	285	8.6	105	3.2	29.8	2.1
13	4,205	1050	25.0	685	16.3	50	11.1
14	3,835	60	1.6	15	0.4	16.7	0.3
15	3,925	345	8.8	120	3.0	26.1	2.0
16	12,370	55	0.5	35	0.3	9.1	0.2
17	6,670	695	10.4	130	2.0	15.8	1.3
18	9,260	145	1.6	10	0.1	3.5	0.1
19	8,375	1385	16.5	455	11.4	20.9	3.4
20	7,165	1745	24.4	715	10.0	31.2	7.0
21	6,120	150	2.5	55	0.9	34.6	0.6
22	6,480	70	1.1	55	0.9	14.3	0.6
23	10,680	25	0.2	10	0.1	0	0
24	13,700	20	0.2	20	0.1	25	0
25	3,940	70	1.8	5	0.1	0	0
26	2,285	65	2.8	20	0.9	15.4	0.4
27	2,360	85	3.6	25	1.1	23.5	0.6
28	5,235	135	2.6	85	1.6	33.3	1.0
29	5,815	95	1.6	20	0.3	5.3	0.3
30	5,805	80	1.4	30	0.5	0	0.3
31	12,720	55	0.4	55	0.4	45.4	0.2
32	10,280	250	2.4	190	1.9	46.0	1.2
33	7,880	625	7.9	175	2.2	23.2	1.6
34	14,055	50	0.4	20	0.1	10	0.1
35	8,570	305	3.6	30	0.4	6.6	0.2
36	9,455	370	3.9	170	1.8	33.8	1.2
37	18,590	145	0.8	25	0.1	10.3	0.1

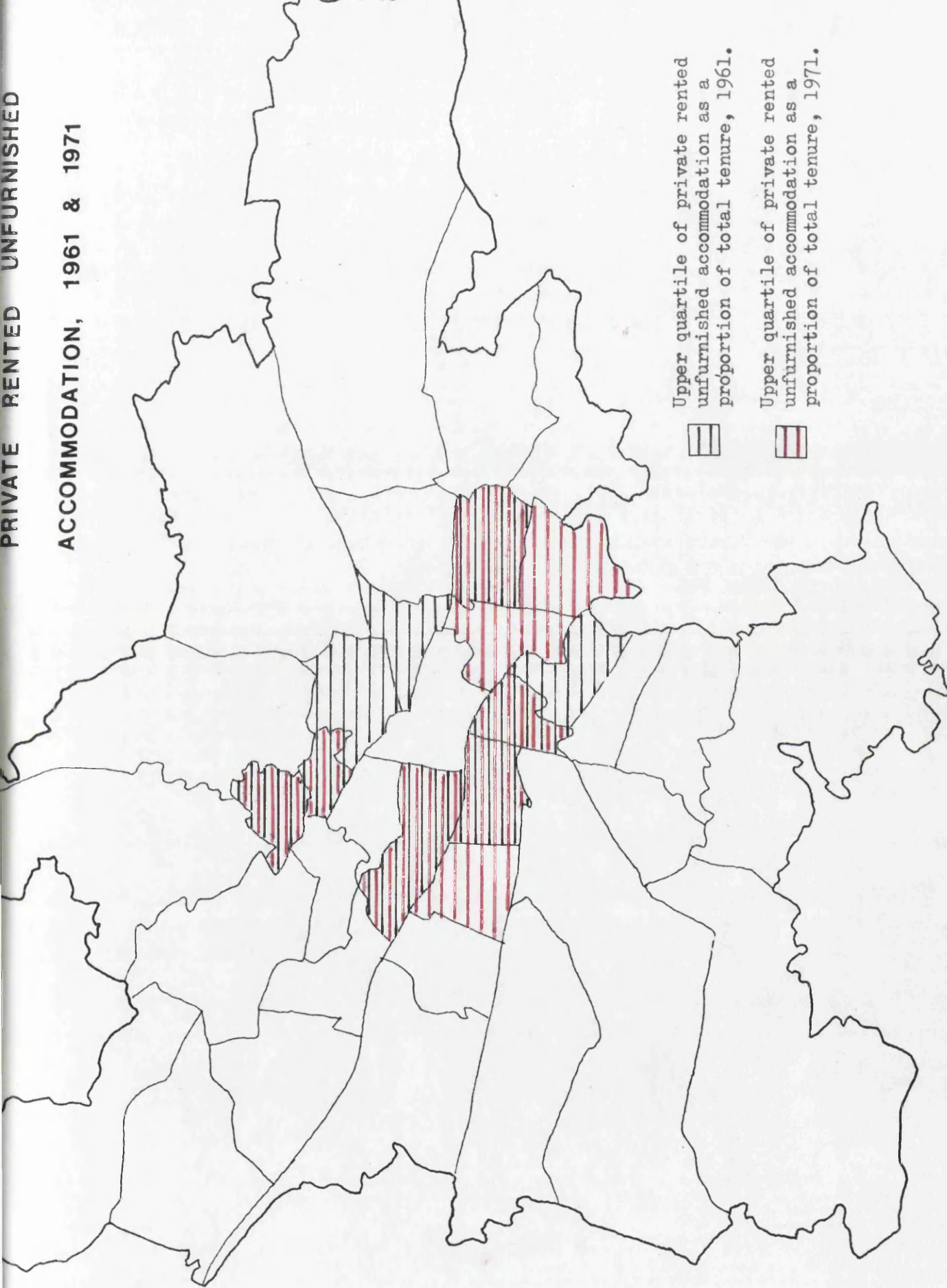
Glasgow. 290,430    9550    3.3    2475    0.85    25.9    0.8



increase in the furnished sector. In Glasgow, unfurnished accommodation decreased by 72,000 households from 1961 to 1971, and its share of the total housing market fell from 41% to 20% in the same period. The furnished sector rose by 14% from 8168 to 9560 households in the decade 1961 to 1971.

The reasons for these trends are varied. The decline in the unfurnished sector can be tied closely to the policy of the comprehensive redevelopment of many older high density inner city areas. It is often the case that areas of privately rented unfurnished accommodation coincide with such areas. Map 6 shows for Glasgow the wards in the upper quartiles of the unfurnished sector in 1961 and 1971. These wards are ringed around the city centre in areas of predominantly, if not exclusively, pre-1919 tenement buildings. The low physical standards of these areas combined with their poor housing characteristics of overcrowding and deficient amenities led to the Corporation of Glasgow undertaking a massive redevelopment programme. The programme was focussed on 29 Comprehensive Development Areas of which some have been completed or are nearing completion (Townhead, Anderston, Woodside, Hutchesontown Gorbals, Cowcaddens, Royston and Pollockshields) and others approved and partially cleared (Bridgeton, Dalmarnock, Govan and Whiteinch). These areas all had high concentrations of privately rented unfurnished dwellings. The effects of completed redevelopment schemes can be seen in the change of distribution between 1961 and 1971. Cowcaddens, Hutchesontown and Townhead showed a substantial decrease in unfurnished lettings, principally due to these wards containing completed comprehensive Development Areas. The decline in Glasgow is thus largely attributed to the clearance of these areas and the replacement of the private rented housing in them by local authority rented accommodation. The sale of such properties for owner occupation has contributed to this decline to a lesser

ACCOMMODATION, 1961 & 1971



Upper quartile of private rented unfurnished accommodation as a proportion of total tenure, 1961.

Upper quartile of private rented unfurnished accommodation as a proportion of total tenure, 1971.



extent. The activities of the Housing Corporation have recently added a new dimension in terms of tenure to unfurnished letting. The Housing Corporation aims to stabilise this decrease in the share of unfurnished lettings by financial encouragement to community based housing association schemes in semi-public or social ownership.

Furnished accommodation increased in the decade 1961 to 1971 for a variety of reasons. As the private rented sector operates as a free market system changes are made to satisfy the interests of both the supply and demand side. Thus this increase in supply must be related to a growth in demand or the return on investments for suppliers would decline discouraging expansion. The overall increase in the supply of private rented furnished accommodation has been furthered by a change from unfurnished to furnished accommodation. The Francis Committee report on the Rent Acts commented: "There can be little doubt that there has been a significant 'switch' on the part of the landlords from letting unfurnished to letting furnished."<sup>25</sup> The report continues by stating the three principal reasons for this switch and the overall increase in furnished lettings. The first is connected to the increase in owner-occupation and the role of building societies and other mortgagees. Most landlords buy property that they intend to let with the aid of a mortgage, and mortgagees will only permit borrowers to let property furnished. This is because protection is given to unfurnished tenancies, thus they depreciate the value of the security to the mortgage to a large extent. Since the 1974 Rent Act, this protection has been extended to furnished tenancies. This may alter the situation to the extent that many landlords will sell their properties and invest capital elsewhere. Secondly the financial advantages to the landlord are greater in furnished accommodation. And thirdly until 1974, it was easier to obtain possession from unsatisfactory tenants

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25. *ibid*, p.83.



if the premises were let furnished.

The growth during the decade 1961 to 1971 of private rented furnished accommodation may have been suppressed since then by local authority legislation on multiple occupancy and the Rent Act of 1974. The effect of local authority legislation will vary as the legislation does between authorities. Evidence from Leeds, for example, shows that furnished accommodation should continue to increase. Martin Raper (1974) reported that established landlords were in contact with estate agents specialising in property suitable for conversion and were keen to continue interests in furnished accommodation.<sup>26</sup> In contrast to this, Kathleen Rantell (1974) thought that the combination of local and national legislation in Glasgow was forcing many more landlords out of the market and into selling their properties.<sup>27</sup> It should be remembered however that local legislation on standards for sub-division are severe in Glasgow, thus the cost of conversion would be much higher than in similar buildings elsewhere.

It would also be wrong to assume universal reactions to the 1974 Rent Act. The Act which since August 1974 has extended security of tenure to furnished lettings, excludes students. Thus landlords letting to students continue to have easier rights of possession than in unfurnished accommodation or lettings to non-students. There are other loopholes in the Act that can be exploited, if necessary, by landlords. For example an exceptionally rigid lease may be drawn up and if signed is binding, so that if any item on it is breached, the lease is automatically terminated. One case arose where the tenant of a furnished room signed a lease which prohibited guests entering the room after 6 p.m. Such a constraint would be difficult, if not depressing, to adhere to, however the landlord could theoretically evict the tenant if this constraint on the lease was breached. Possession can be granted under the Act only if the landlord

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26. Raper M. "Housing for Single Young People", Institute of Advanced Architectural Studies, University of York 1974.

27. Rantell K. "Bed-Sitter Blight", Glasgow Herald, October, 1974

obtains a Court Order. To do this he must satisfy the Court that the grounds for eviction are justified. The most usual grounds are rent arrears, causing a nuisance or annoyance to adjoining occupiers and damaging the landlord's premises or furniture. Thus the practical operation of the Act largely depends on the tenants' knowledge of their rights. Tenants who are not fully aware of the protection they have under the Act could be evicted unlawfully.

### 3.2. Multiple Occupancy and Private Rented Furnished Accommodation.

Using Census data it is impossible to arrive at a definitive measure of multiple occupancy. Two methods of assessment can be used. The ~~first~~ is to use the Census computation of shared dwellings directly. And the second is to calculate the discrepancy between the number of households and the number of dwellings (excluding vacant dwellings) and express it as a percentage. The two methods do not give similar results, as can be seen from Table 1. The second method giving a rate of multiple occupancy about 50% less than the first. However it is not possible to do the calculation with the information in the 1961 census. It is for this reason, therefore, that shared dwellings are mapped.

In 1961, the wards with the highest proportions of shared dwellings correspond broadly with the areas of greatest private rented furnished accommodation. However by 1971 both had become more concentrated in a north-west to south-east belt from the city centre extending to the north-west of the city. The number of shared dwellings decreased in the decade particularly in areas with lower proportions of furnished lettings. So that by 1971 shared dwellings were more prevalent in the areas concurrent with wards containing the concentrations of private rented furnished accommodation.

Physically this concentration in the north-west of the city, particularly in the Park, Partick East and Kelvinside wards, has changed the character of areas with high rates of multiple occupation. This north-westerly sector is an area



of mixed tenemental, terraced and detached houses, mostly of good quality. The area was originally inhabited by the middle classes and to a lesser extent the artisans, thus the size of dwellings is larger and density lower than in similar areas of working class origins equidistant from the city centre. The dominant tenure type of the three wards is owner-occupation, with Kelvinside ranked **first** in the city with respect to the proportion of owner-occupation. Thus the sector has retained its original middle class character to a large degree, diversified somewhat by the increase in private rented furnished accommodation and multiple occupancy.

### 3.3. The Demand for Private Rented **Furnished** Accommodation.

Having established the physical, spatial and temporal characteristics of the supply of the private rented furnished sector and the concomitant relationship with multiple occupation, an examination of the demand side is now required. To this end, it would be useful to determine where such a demand occurs in the five 'household stages' identified by Donnison (1967). These are (a) the **first** twenty years approximately spent in the parental home. (b) A brief period spent alone or with friends after leaving home to find work or to study, continuing into the **first** few years of marriage, when the couple is usually childless allowing both husband and wife to work. (c) This could be termed the expanding phase, when housing needs change to accommodate a growing family. (d) When the children have grown up and left home the household returns to a smaller size. Fewer moves occur in this stage than in previous ones, since, although needs change, the family is now established in their home and surroundings. (e) Lastly, the stage in old age, when households become smaller and less mobile. To this outline can be added to the second stage those who continue there by remaining single or revert back to the second stage through divorce or separation. It can also



be added that there are many who never experience the independence and mobility of this second stage. However more and more people go through this stage as the result of leaving the parental home to study, to find work or as a conscious desire for independence.

It is from this household stage that the principal demand for private rented furnished accommodation exists. In a situation of mobility and limited financial resources it is this sector of the housing market that best suits the needs of this group. The Francis Committee reported a very high voluntary mobility rate among furnished tenants, with 61% having moved into their present accommodation within the last 18 months. The characteristics of the furnished rented market attractive to the voluntary mobile are the fact that it is furnished, thus there is no need to invest in furniture and household goods which are perceived as inhibitory to mobility. And secondly the mobility itself and the weaker security of tenure ensure a rate of turnover providing the opportunities to move within or between areas.

Not all tenants of furnished lettings are young, mobile and single, however, a proportion of the residents will be in this sector involuntarily, and often in premises ill-suited to their needs. For example, families may make use of furnished accommodation while waiting to be housed by a local authority or for more suitable unfurnished premises or while saving to enter the owner-occupier sector.

Multiple occupation within the private rented furnished sector has changed in nature from being predominantly occupied by families as a result of an overall housing shortage to being a desired source of accommodation for many single young people. Although Public Health officers in many cities have recognised and reported this change, not all are sympathetic to the desires of this group. For example, the Administration Officer of the Environmental Health Department in Glasgow saw no reason for young people to be living in such accommodation, whether multi-occupied or self-contained.

He believed that all such people should either remain in the parental home or be housed by institutions such as hospitals, universities or charitable organisations like the Y.M.C.A. and Y.W.C.A.

It has been stated above that the increase in furnished lettings and the switch from unfurnished to furnished accommodation were a result of changes in supply and demand as the private housing sector operates as a market system. Much of this increase and shift is as a response to the demand from the young and mobile groups. In Glasgow the areas of high private rented furnished accommodation correspond closely to the traditional areas of concentration of students and young single persons. This north-west sector also contains two of the larger institutions of higher education in the city, Jordanhill College of Education and the University of Glasgow, and is readily accessible to the city centre area containing many of the city's other higher education centres. Although a greater proportion of students in Glasgow reside in the parental home than elsewhere in Britain, there are still an estimated 4,000 students not accommodated at home or in halls of residence, thus competing in the housing market. Accessibility to place of study is a major factor in students' residential location preferences. Thus it is not surprising to find concentrations of furnished lettings and students in the north-west of Glasgow. One result of this is that services geared to the needs of this group have been developed, for example, laundrettes, specialised shopping facilities such as boutiques, record shops and evening opening, and a system of social contact through pubs and cafes is evolved. This in turn attracts other students, former students and young people to the area.

The present demand preferences of single young people is towards self-catering privately rented furnished accommodation. In the past lodgings were more prevalent than now. The reasons for this again lie both on the supply and demand side. Increased affluence and the growing number of working women



has caused a dwindling of the supply of the old fashioned landladies who take in lodgers. At the same time, young peoples' preferences have changed towards the independence and self-catering. Helen Cameron (1969) found that the ideal choice of accommodation for fourth year and later Glasgow University students was 50% for self-contained flats or rooms and 5% for lodgings with some meals provided. Although the proportion favouring self-catering flats increased with year of study, the proportion favouring the traditional lodgings peaked at only 7% for second year students. Other universities and colleges have recognised this change in demand and are now concentrating their housing efforts on house conversions, or if new built, then in self-catering units as opposed to the institutionalised hostel-style of the traditional catering halls of residences.

Many young single people and students also prefer to live in small groups, sharing facilities and operating a communal housekeeping system. The advantages of this group living are both financial and social. It is less expensive and causes little or no hardship in most cases to share certain items of everyday expenditure. In social terms, group living or multiple occupation provides social contracts which are desirable to most young single people. Individual or one person accommodation may stifle such contacts and cause depression and loneliness to the less socially able. Convenience, in terms of sharing household tasks such as cooking and cleaning, is another advantage of such a household arrangement. Thus multiple occupancy is often a desired form of accommodation, seen to be beneficial in financial, social and convenience terms.

The characteristics of the supply and demand of private rented furnished accommodation indicate that the groups living in and dependent on such accommodation treat it as a desired source of housing, not as a necessity created by a housing shortage. These groups are principally composed of



the young and single whose residential preference factors of mobility, independence and cheapness are best provided for in the furnished letting sector. The desire in some cases for group living under multiple occupation, and for associated specialised services tend to suggest that there is a life style associated with this stage in the household cycle. And that the change in the nature of multiple occupation it is now a manifestation of this life style.

## CHAPTER 4.

### CASE STUDIES.

Approximately 450 cases of multiple occupation have been investigated by the former Corporation of Glasgow and the District Council, to date. This figure is the internal calculation by the Planning Department, used at an enforcement notice appeal inquiry to illustrate the extent of the Corporation's action on multiple occupancy. Of the 450, it is estimated that 200 would qualify for Established Use Certificates, of which around 50 have been granted. A further 110 cases have discontinued being multi-occupied, 30 appeals have been lodged and are pending and 100 cases are currently under investigation. Court action has been brought about in seven cases, resulting in successful prosecutions for the Corporation in six of the seven.

No figure is publically available on the actual number of enforcement notices served. However an examination of the minutes of the Corporation of Glasgow and the District Council since the introduction of the bye-laws governing farmed-out houses in 1964, produced a reasonable guide to this number. 232 cases received official attention and thus appeared in the minutes. (Appendix A lists the cases chronologically by category). Of this total, 139 were refused or did not have planning permission or were refused re-registration as farmed-out houses, thus being unauthorised multiple occupancy and subject to enforcement.

The case studies expounded in this section were unearthed by a number of methods. The Environmental Health Department of Glasgow District Council provided information on twenty cases that have recently been brought to their attention. The Department was however unwilling to supply a full list of cases. The information on the twenty cases was given on the written understanding that the author would not contact the tenants or owners of the premises. Thus the subjects of more detailed study had to be obtained

by other means. Three were found through personal contacts and one was the subject of an appeal inquiry against an enforcement notice, served in respect of unauthorised use of a dwelling house as a multiple occupancy. The other two cases were discovered through advertisements in the Glasgow University Guardian and the West End News. The latter, a weekly newspaper with an average circulation of 12,000 in the north-western sector of the city where the main concentration of private rented furnished accommodation and multiple occupation have been shown to exist, produced the two responses suitable for examination.

The twenty case studies provided by the Environmental Health Department exhibit a wide variety of outcomes to the discovery of unauthorised multiple occupancy. Contained in the twenty are five of the cases that resulted in court action. Thus it should not be taken as a representative sample of premises affected by this legislation, but viewed as illustrative of the situation. All the following premises had enforcement notices served on them because of unauthorised multiple occupancy, the resultant effects of which are outlined below.

7 and 11, Baliol Street, G.3 : Both were declared and registered as farmed-out houses, but have since reverted to single occupancies.

15 Carnarvon Street, G.3 : Refused registration as a farmed-out house. The owner failed to carry out the work necessary to bring the house up to the required standards, but the building was demolished before Court action could be taken.

16-18 Cecil Street, G.12 : An Appeal was lodged against the enforcement notice, but dismissed. Court action followed with the owner being found guilty and admonished. The premises are still under unauthorised multiple occupation, therefore another enforcement notice has been served.

3 Corunna Street, G.3 : Court Action was also taken in this case and again the owner found guilty and admonished. The premises have now reverted to single occupancy.



8, Corunna Street, G.3 : The house reverted to single occupancy, so the notice was withdrawn.

10, Corunna Street, (2 up, 1) G.3 : This house reverted to single occupancy to the satisfaction of the Environmental Health Officers, but has since returned to multiple occupancy and thus been served with another enforcement notice.

6, Kelvinhaugh Street, (2 up, 1) and (3 up, 2) G.3 : In this case the notice was withdrawn as the houses were cleared and are at present, unoccupied.

6 Kelvinhaugh Street (3 up 1) G.3 : This is the only case where Court action has ensued and the defendant found not guilty. The reason for this verdict is unknown. The house has however reverted to single occupancy.

6 Kelvinhaugh Street, (3 up, 3) G.3 : This case is still under investigation as the owner claims it is now in single occupation, but this has yet to be substantiated.

24, St. Vincent Crescent, (Ground 1) G.3 : A Court action was necessary in this case also, which resulted in the owner being found guilty and admonished. The house was then cleared and is now unoccupied.

63, St. Vincent Crescent, (1 up, 1) G.3 : Registration as a farmed-out house was refused and an enforcement notice served, but the house has not been cleared or reverted to single occupation. Thus Court action is to be taken.

63. St. Vincent Crescent, (1 up, 2) G.3: This house was sold after the enforcement notice was served on its owner and tenants. The new owner applied for registration as a farmed-out house and was refused, thus another notice will be served on him.

63, St. Vincent Crescent, (2 up, 2) G.3, 19, St. Vincent Street, (Ground, 1) G.2 and 478 St. Vincent Street, (2 up, 1) and (2 up, 2) G.2 : In all four cases the premises reverted to single occupancy. Thus no further action was necessary.

271 and 275, Wilton Street, G.20 : Both premises, owned by the same landlord, have now been brought up to the required standards for subdivision. This followed a Court case where the owner was found guilty and admonished. In addition, this case is interesting as the owner was successful in an application for an extension to the time limit of the enforcement notice of twenty-eight days within which to carry out the necessary works or clear the premises. An extension from twenty-eight days to three months was granted by the District Council's Planning Committee in November 1975.

The following case studies are examined in as much detail as necessary to allow an understanding of how the legislation works in practice, the salient factors leading up to enforcement and the situations of tenants of such premises. As some of the cases are pending appeal inquiries, they have been treated as sub-judice and thus tenants' names have been omitted. In two cases, the multiple occupation has not come to the attention of the District Council and thus the addresses have been kept anonymous in these instances.

44, Herriet Street, (2 up, right) G.41:

Physically the premises consist of four rooms, a kitchen and a bathroom/toilet. Each of the rooms is individually let, furnished, to unrelated single people at a weekly rent of £6.50. The rent includes lighting and heating in the rooms but excludes the running costs of the shared facilities, such as the water heater, cooker and telephone. The house had not been properly maintained by the owner/landlord for the last two years, despite constant requests and protests from the tenants. For example, the refrigerator and other household goods were reported as malfunctioning but not repaired, and despite requests from the tenants the house had not been painted for over six years. Externally the tenemental building was in good structural repair, and the common-staircase was well maintained and clean.



The enforcement notice was served on 4th December, 1975 as the dwelling house had been developed subsequent to 31st December, 1964 and was in use as a multiple occupancy without the grant of planning permission required. The tenants at the time of enforcement were four in number. They were an 84 year old single woman, a middle aged single blind woman and two single men, one middle aged and the other 21 years old. All had been resident in the premises for at least three years. The tenants have appealed against the notice on the grounds that the twenty-eight days given to restore the house to a single occupancy did not allow them sufficient time to find alternative accommodation. The landlord has not appealed.

The multiple occupancy was brought to the attention of Glasgow District Council by neighbours. The other five flats off the common staircase were in single owner-occupation. The blind woman said that she and two of the tenants had good relations with the neighbours. The younger male tenant however aggravated them because he owned a motor cycle which was thought to lower the tone of the area when parked outside. Then on a particularly stormy night he committed the unmitigable action of putting his motor cycle in the entrance to the building. It was this that led the neighbours to report the occupancy situation to the Planning Department. After the enforcement notice had been served the neighbours further justified their action by accusing the young man of creating excess noise. Although the normal procedure for dealing with such a disturbance, reporting the matter to the police, had not been used. The other three tenants had no such complaints and failed to understand how the neighbours could have been disturbed by noise when they had not.

Despite the obvious hardship and difficulty the two female tenants would experience in finding and preparing to move to alternative accommodation because of one's physical disability and the other's age, the landlord's behaviour



was unsympathetic to them. After the twenty-eight days of the notice had expired, he returned to the premises and when unexpectedly finding the tenants still there, as was their statutory right under appeal procedure, he threatened them with violence if they did not move out. One week later when one of the tenants moved out the landlord immediately moved his daughter and son-in-law into the vacated room. Thus the landlord adopted methods of interference and intimidation that are illegal under the Rent Act of 1974.

By the end of January, eight weeks after the enforcement notice had been served, the two male tenants had found alternative accommodation. The elder of the two women secured a place in an old peoples' home eventually. However the blind woman had still not found other accommodation after three months. This is despite help from the Society for the Blind, her local District Councillor and Pollokshields Residents Association. She had also applied for a local authority house, but despite the imminent prospect of homelessness, this too had been unsuccessful.

This case illustrates the difficulty of finding alternative accommodation in the privately rented furnished market, even although the tenants, with the exception of the 84 year old, were in employment and could be termed respectable. The blind woman's situation shows her dependence on and desire for this type of accommodation although trapped in it. Companionship and the help received from other tenants together with a degree of independence were her most important requirements of suitable accommodation. These being best provided in a multi-occupied dwelling house.

### 35, Carnarvon Street, G.3:

The flat is rented unfurnished by four students sharing all expenses. Physically the premises consist of five apartments; four bedrooms (two with their own wash-hand basins), a living room, a kitchen and a bathroom/toilet.

When the flat was just rented in June 1971, only one of the five rooms was habitable. Over the next two years the tenants undertook major internal repairs and reconstruction, transforming the uninhabitable rooms into pleasant living spaces. To improve the external area of the premises the tenants decided to apply for an Environmental Improvement Grant for the area to the rear of the building.

It was as a result of this desire to improve the back court area that led to the discovery that the house was in multiple occupation. The tenants themselves devised proposals for the environmental improvement (two of the tenants are qualified architects at present on post-graduate planning courses.) When this scheme was submitted to the Corporation, a survey of the structural and sanitary condition of the intended area for improvement was authorised. It was during this survey that Environmental Health Officials noted a high degree of multiple occupancy in the area and that the applicants themselves lived in multi-occupied premises. This fact they reported to the Planning Department.

Soon after the completion of the survey an application form for planning permission was delivered to the flat. Accompanying the form was a note from an official in the Planning Department stating that planning permission was necessary for the change of use that had taken place from single to multiple occupation. Two other flats in the building, owned by the same landlord, received similar communications. When this was discovered the residents concerned met and decided to take concerted action to oppose the impending enforcement notices. It should be noted that planning permission would not have been granted as none of the premises complied with the prescribed standards.

The residents began their campaign by contacting and petitioning a number of organisations and individuals. These included two of the sponsors of the proposed environmental improvement, Park Ward Residents Council and Facelift



Glasgow, local Councillors, Neil Carmichael, the Member of Parliament for the area and the factors and owners. Officials of the Planning Department then attempted to survey the interior of the three flats, but were refused admittance by the residents. Instead they were invited to attend a meeting of all the residents affected and a representative of the owners. At the meeting the tenants claimed that as only one person in each flat was the leaseholder and responsible for paying the rent this constituted a single occupancy. Therefore the premises had not undergone a material change of use to that of a multiple occupancy. The Officials accepted this explanation, explained that they had made a mistake, apologised and then left. This meeting was not a formal one and the officials' statements were verbal. However no further written or verbal communication was received from the Planning Department concerning planning permission for the premises.

Meanwhile the application for an Environmental Improvement Grant was passed by the Planning Committee and subsequently by a full Council Meeting, despite attempts by Environmental Health Officials to have it rejected on the grounds that many of the tenants who would benefit were multiple occupants. However the Secretary of State for Scotland has indefinitely postponed the scheme because of financial constraints in the public sector.

This attempt to block the improvement grant and the argument concerning planning permission accepted by officials of the Planning Department conflict with the views expressed by Corporation representatives at an appeal inquiry. In this inquiry concerning premises in Glencairn Drive, discussed below, importance was given to the belief that multiple occupants, being mainly transients, have little interest in or responsibility for the quality of the neighbourhood. At the same inquiry Planning Officials quoted at length three appeal decisions from Birmingham which considered the fact that there was only one named tenant irrelevant to ascertaining the type of occupancy.

241, Wilton Street, (2 up, right), G.20:

An enforcement notice was served on those concerned on 27th May, 1975, requiring the unauthorised use of this dwelling house as a multiple occupancy to discontinue. Both the tenants and landlord have lodged appeals against the notice. The premises were first let in February of that year as a whole to four single males, all under the age of twenty five. Two are school teachers and the other two post-graduate students. Before letting the premises to the present tenants, the landlord intended letting each room separately as bed-sitter accommodation and applied for planning permission for this purpose. Permission was refused and his lawyer advised him (incorrectly) to let the flat as a whole, thus by passing the multiple occupancy regulations and the need for planning permission.

Physically the flat is comprised of six rooms, a kitchen and a bathroom/toilet. It is let fully furnished and is in good repair throughout. Before being let, the flat was completely redecorated, re-wired, and new gas fittings put in. It also contains two cookers and two sinks in the kitchen, and the furnishings include most essential household items, such as blankets, cleaning utensils and cooking utensils. The landlord is diligent concerning maintenance and repairs and neither landlord nor tenants have cause for complaint. The rent is £84 per month, inclusive of rates, but exclusive of gas, electricity and telephone costs.

Externally the flat is located within a tenement block of good structural quality. The block is to be left unaltered by the Development Plan for the area and is considered to have a life of at least thirty years. There are eight flats off the building's common staircase, the other seven being in owner-occupation. The common staircase itself is well maintained, tiled and cleaned weekly.

The suspicion of unauthorised multiple occupancy was reported to the Planning Department by neighbours in a direct attempt to evict the tenants. This conflict was not directed against the particular tenants, but against the perceived intrusion of rented accommodation and its effects in a building previously totally owner-occupied. The



landlord was the first to experience this antagonism when he was redecorating the flat. When the neighbours realized he intended to let, they tried to dissuade him, explaining that they believed tenants of rented accommodation would cause undue noise and disturbance, would lower the tone of the area and would adversely affect the value of their properties in financial terms. The landlord intimated his continued intention to let the premises as he believed the neighbours' arguments to be based on false assumptions.

The next step was, the neighbours formed themselves into a 'close residents association', and offered to collectively buy the flat at a price £500 greater than was paid for it. The offer was turned down. Then, as these attempts to persuade the landlord not to let had failed, one member of the 'association' felt a stronger approach was necessary. He physically assaulted the landlord, resulting in the police being called. No charges were brought against the assailant as the police considered the matter a civil disturbance, but he was warned not to interfere any further with the landlord's activities. This however did not lessen the vigilance of this small group of militant owner-occupiers. They formed the West Wilton Street Amenities Association and expanded their concern and membership to an area containing approximately 300 dwelling houses. Although the two leaders of the Association have refused to comment on the purpose of the group, their sole activity so far has been to inform the Planning Department of houses in multiple occupation in the area. Their aim being to rid the street of students and other young single people and keep the area exclusively in owner-occupation.

One of the supposed effects of rented accommodation, that of lowering the economic value of surrounding properties has been disproven in this building. The rented flat was bought in January, 1975 for £5,500, and between October 1975 and February 1976 three other flats in the building were sold for prices in excess of £8,200. Although the first flat was in poor internal repair when bought, the discrepancy between the prices clearly does not represent a

fall in value. The three sold remained in owner-occupation, so that commercial interests of letting were not responsible for the increase.

#### A house in North Kelvin.

A thirteen room, two-storey house in a tenement block in the North Kelvin Ward is the subject of an odd method of circumventing the multiple occupancy regulations. The premises were cleared in 1974 as the result of an enforcement notice concerning unauthorised multiple occupancy. However in mid-1975, the house was advertised as available for letting to a family group after being unoccupied for a year. A young childless married couple answered the advertisement and took the tenancy.

The landlord informed the new tenants of his previous position with respect to multiple occupancy. He was however willing to let other rooms if the new tenants wished to share the accommodation. As they were willing to share, to avoid any further breach of planning legislation which could result in court action being taken, a curious clause was written into the lease. The clause stated that the leaseholder (named) was renting the premises with his brothers and sisters (unnamed and no specified number).

The tenants are now seven in number. They are all unrelated and are four single males, one single female and one married couple. The landlord's intention is that if the unauthorised multiple occupancy is brought to the attention of the city's Planning Department he would not be held responsible as the terms of the mutually agreed lease only permit members of one family to reside in the house. The landlord is thus in full knowledge of the actual tenancy situation but has managed to legally abdicate this knowledge.

#### A house in Woodside:

A furnished flat in the Woodside Ward let to four male students is illustrative of the way unscrupulous landlords



can evict or intimidate tenants by using legislation. In this instance the landlord ordered his tenants to leave the premises as he was being prosecuted for allowing unauthorised multiple occupancy. Although the three-roomed flat was liable to enforcement, the multiple occupation has not been brought to the attention of the Planning Department and no enforcement notice has been served. The tenants were at first ignorant of the fact that a notice would not be valid unless served on the occupants and the owner or landlord. The landlord further deceived the tenants by stating that they had no right of appeal to the fictitious enforcement notice.

On investigation the tenants have now become fully aware of their rights and of the deceitful methods employed by the landlord in the attempted eviction. In this case the tenants have now secured their tenure. However, it would be perfectly possible for landlords to play on tenants' fears and lack of knowledge of their rights of legal protection and cause an unlawful eviction.

12 Glencairn Drive, (2 up, 1) G.41:

In 1975 this ten apartment dwelling house situated within the Pollokshields East Conservation Area was the subject of a lengthy appeal inquiry lasting five days. Although the inquiry ended in November 1975, no decision had been reached at the time of writing. In the five days an immense amount of verbal evidence and discussion ensued, rendering it impossible to reproduce every detail here. However an outline of the significant features of this debate is essential to a greater understanding of the reasons for and against strict control and a phasing out of multiple occupation, as is present policy in Glasgow. This becomes particularly significant in view of the probability of this appeal being used as a precedent or test case on which to base subsequent appeal decisions.

The Corporation of Glasgow served enforcement notices on the owners and six tenants of the above address to require its use as individual bed sitting rooms to discontinue. This followed the standard refusal of planning permission for that use on the grounds that:-

"The current proposals do not constitute acceptable sub-division in that each unit would not contain individual cooking, toilet and bathroom facilities"<sup>27</sup>

This statement relates to the Corporation's standards for the sub-division of houses to other than single family occupancy, outlined above in Chapter 2.3. A unit in this case is one bed sitting room.

The Corporation's case that the enforcement notice should be upheld and the appeal dismissed rests on the contention that a material change of use has taken place, thus requiring planning permission which should not be granted on the above grounds. Although interpretation of the term 'material change of use' is not strictly defined, the Corporation maintained that:-

"The use of the premises as individual rooms by letting purposes constitutes a material change of use in the meaning of the Town and Country Planning (Scotland) Act 1972, Section 19 (1), in that the character and intensity of use is altered from private residential occupation by one family to a use of a quasi-commercial nature"<sup>28</sup>

To substantiate this contention reference is made to three appeal decisions of a similar nature in Birmingham. In ~~both~~ these cases the Ministry of Housing and Local Government interpret the change from single to multiple occupation as a material change of use. The appeal by Buriff Properties Limited against enforcement notices served on two furnished lettings in Sellyoak, both let to students is of particular interest. The following is an abstract of the Ministry's comments on the decision:-

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27. The Corporation of Glasgow "Observations on Appeal, 12 Glencairn Drive (Flat 2/1)", 1974.

28. *ibid.*



"In each case the house is let to one tenant who is responsible for overall control, but rent is charged on the basis of the number of occupants of the property and there is no reason to suppose that each occupant does not in some way bear his share....it is considered that despite any similarity between the present use of the houses and their previous occupation as single family dwellings their residential character has been changed by the fact that they are now let for profit on the basis of the number of occupants, each occupant presumably making himself responsible for a proportion of the rent. The fact that one student only is named as the tenant is considered irrelevant. The view is taken that the nature of this has in fact brought each of the premises into use as houses in multiple paying occupation and this use has so altered the residential occupation of the property from the previous use as to amount, as a matter of fact and degree, to a material change of use of the appeal premises involving development for which grant of planning permission was required but not obtained."29

Having thus established that planning permission is required, the Corporation believed that it should not be granted. The Town and Country Planning (Scotland) Act 1972 allows a local planning authority to refuse planning permission having regard to:

"the provisions of the development plan, so far as material to the application, and to any other material consideration"30

Multiple occupation is seen to be contrary to the aims of the development plan. Specifically because:

- (i) The standards required for sub-division, outlined in Chapter 2.3., are mandatory for any new housing and normally found in existing residential areas of good quality, such as the Pollokshields area.
- (ii) Associated services and facilities in the Pollokshields area have been provided for densities related to single family occupation, not multiple occupation.
- (iii) The aim of designating this area of Pollokshields as a conservation area endorses it as a high amenity

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29. *ibid.*

30. Town and Country Planning (Scotland) Act, 1972, Section 26 (1)

residential area. To protect this aim it is necessary to oppose multiple occupation which leads to densities higher than intended for the area, which in turn exacerbates the deficiencies of facilities and services already inadequate as a result of recent social and economic trends in demand.

- (iv) Multiple occupation will worsen the already difficult problem of car parking and access in this area of tenemental house forms.

The Corporation conclude their argument by commenting that:

"The phenomenon of multiple occupation is a reflection or an aspect of the general, long-existing and continuing housing and accommodation problem in the City of Glasgow. The spread of substandard multiple lettings in other words, is not a solution to the problem, it is part of it."<sup>31</sup>

The case for the appeal being upheld was based on five factors:

- (a) The heritable creditor of the property, the Bank of Scotland, had not been served with an enforcement notice, thus invalidating it.
- (b) That no material change of use had taken place.
- (c) That planning permission should thus be granted.
- (d) The period of compliance with the notice ought to be extended.
- (e) That the standards required for sub-division are ultra vires being concerned only with the internal arrangement of buildings.

No written submission was made by the tenants or their representatives. Thus the reasoning behind the arguments only emerged during the inquiry. Factors (a) and (d) were considered not to be leading evidence by the reporter. Factor (a) was interpreted as normal security for the owner's mortgage arrangements thus it was not necessary for the

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31. The Corporation of Glasgow, "Observations on Appeal, 12 Glencairn Drive (Flat 2/1)" 1974.



Bank of Scotland to have been served with a notice. The period of compliance is a standard adopted by the Corporation and as such a procedural matter, not direct evidence.

The matter of whether or not a material change of use had taken place was argued in definitional terms. The tenants claimed that originally the house was not constructed for single occupancy, but for a family and domestic servants. They stated that it is difficult to unequivocally distinguish between various types of non-single occupation. Examples such as the hypothetical case of two lodgers living with a family were used to illustrate this difficulty. Thus the tenants contended that the original circumstances of the house could be interpreted as showing that a material change of use had not occurred.

With respect to the Corporation's argument concerning the density of the area, when questioned none of their representatives or officials knew the actual density. It was also pointed out that there was no recommended density for the area. However a Planning Policy Report does state that:

"Appropriate conditions be applied to planning permissions granted within the area (Pollokshields East Conservation Area) to ensure that the residential appearance and character of the area be maintained."<sup>32</sup>

In terms of the externalities of multiple occupation the debate proceeded to discuss the effects on the neighbourhood. One planning official said that "multiple occupation is one of the major sources of urban decay" and that it causes "alienation of the neighbourhood. Tenants in multiple occupation were considered not to be an integral part of the community as they were not owner-occupiers and generally transient. However no direct evidence of this was given and was thus declared to be true only by assumption. Certainly examples exist of multiple occupants who have little or no

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32. The Corporation of Glasgow, "Planning Policy Report - Conservation", 1974, p.37.

interest in or responsibility to the local environment, as could be cited for any tenure group or type of occupancy. Contrary cases also exist, the instance of the tenants of 35, Carnarvon Street documented above, being such an example.

Most of the claims that multiple occupancy necessarily lowers the tone of the neighbourhood were made by representatives of various residents associations, particularly the Pollokshields Residents Association. It can be assumed that much of their evidence of this nature is not wholly objective and is prejudiced against multiple occupation. The Pollokshields Residents Association have publically admitted to being opposed in principle to multiple occupants and immigrants in their area, and have a policy of reporting cases of suspected multiple occupation to the Planning Department in an attempt to remove such tenants from the area.

Further more peripheral evidence was produced, such as the fact that the Corporation's regulations were not operated with regard to housing needs. Secondly, dubiety was expressed about the intent of those reporting multiple occupancy as in this case the information was received by anonymous telephone call. Thirdly it was stated that in many instances people were rendered homeless. The Corporation Planning Department has no policy or information on the after effects, nor have they a policy for the housing of single people. Thus one of the local authority's internal difficulties was highlighted by this inquiry, that of the lack of inter-departmental liason and corporate decision making. Many people who suffered hardship from the effects of this legislation, in the form of for example homelessness, would seek official help from the Housing or Social Work Departments. It is thus easy for a local authority department to plead ignorance of or have no policy on the more invidious aspects of legislation or policy matters under their jurisdiction.



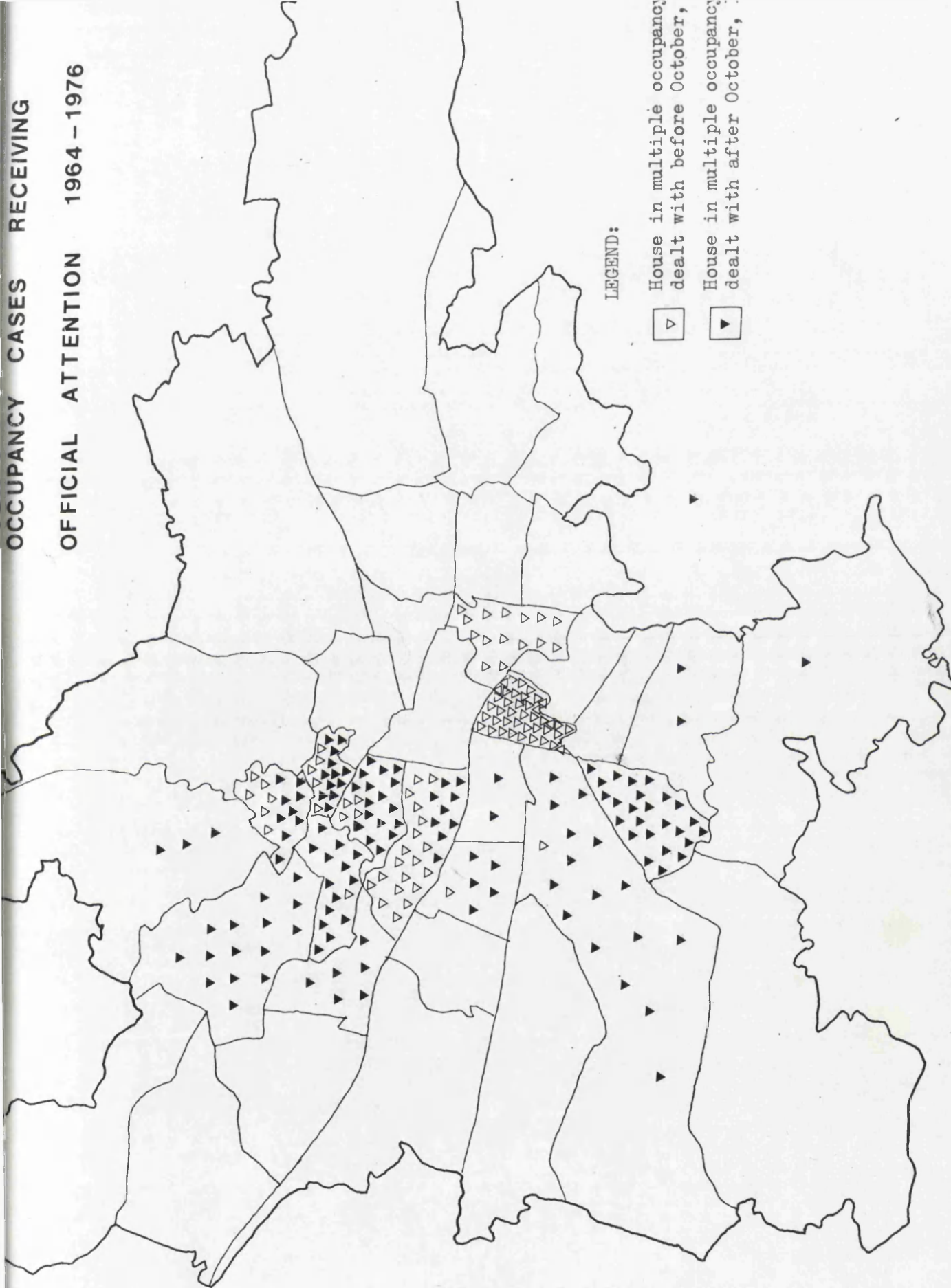
## CHAPTER 5:

### ANALYSIS OF THE IMPLICATIONS OF THE CASE STUDIES.

The case studies documented in the previous chapter suggest a number of aspects of multiple occupancy that require further discussion and investigation. In this chapter the implications raised by the case studies will be examined in an attempt to analyse the roles played by the various interested parties and the conflicts of interest involved, and thus build a comprehensive scenario of the practical application of the multiple occupancy regulations.

Map 7 locates the cases of multiple occupation that have received official attention in Glasgow, by Wards. Of the total of 232, approximately 60% have been discovered since the amended standards were introduced in October, 1972. In the period, 1964 to October 1972, the average annual rate of cases where action was taken, was seventeen. This rate increased to thirty nine in the period October 1972 to March 1976. As cases come to the District Council's notice through a system of public complaints, this increase can be seen in terms of a greater willingness of individuals and organisations to report suspected multiple occupation, and not necessarily increased vigilance on the part of the Council's Departments.

The Map also shows a spatial redistribution of cases in the periods before and after October, 1972. The earlier action was concentrated in the Calton, Anderston and Gorbals wards. Gorbals itself accounted for 42 of the 94 cases in this period. These were areas of particularly poor and overcrowded housing conditions at that time, now substantially improved through the comprehensive redevelopment programme. They are also areas where the multiple occupancy would have resulted out of the general housing problems and have been composed of families sharing unsuitable accommodation.





In the five north-western wards, Park, Woodside, North Kelvin, Partick East and Kelvinside where the main concentrations of private rented furnished accommodation, shared dwellings and single person households are known to occur, action was taken in only fifteen cases before October, 1972.

In the period from October, 1972 to March 1976, spatial emphasis altered and became focussed in the five north-western wards and Camphill and Pollokshields in the south of the city. The former Corporation carried out a survey of multiple occupation in the Strathbungo area of Camphill which accounts for much of the concentration in that ward. Action was taken on 67 cases in the five north-western wards. It is thus clear that this spatial change represents a qualitative change in the types of accommodation receiving official attention from areas of family sharing to areas of single young person shared accommodation.

#### 5.1. : External Components.

The external effects of multiple occupancies are a major source of conflicts of interest in a neighbourhood. The most emotional and often acrimonious debate surrounds the effects of concentrations of young people on the 'quality' or 'tone' of a residential area. The intrusion of private rented furnished accommodation into areas with a high proportion of owner-occupiers can cause a housing class conflict based on the ways of life and values of the residents in each class.

One of the main aims of the multiple occupancy regulations in Glasgow is to assist the stabilisation of the social infrastructure of an area.<sup>33</sup> It follows that to do this, social or housing class conflicts would have to be minimised or resolved by the implementation of the legislation. The elements of this conflict must therefore be disentangled and examined to assess whether the regulations can have the desired effect.

The conflict usually centres around five different, but not mutually exclusive themes. The first is concerned with

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33. This was the view held by the lawyer in the Department of Development Control who prepared the Corporation case in the appeal inquiry concerning 12 Glencairn Dr., G.41

the noise and disturbance caused by parties and a low level of social inhibition among young single residents. This is basically a conflict of life-styles. The owner-occupiers, particularly family groups, tend to lead and expect a quieter more introverted way of life. Whereas young persons enjoying the early years of parental independence tend to lead a more socially outgoing life-style. The second is related, in that it is the community extension of the two life-styles in terms of the services and facilities. An influx of private rented furnished accommodation into an area will encourage the growth of specialist services, not required nor wanted by owner-occupiers, such as laundrettes, late night shopping and fish and chip shops. It may also change the character of other services, for example, the local pub becomes busier and noisier and the usage pressure on the libraries and parks increases.

The third factor is more directly one related to the management of multi-occupied lettings. Excess external rubbish, poorly maintained gardens and common staircases, empty milk bottles and curtains left closed all day are examples of the types of externalities that aggravate owner-occupiers. To the students or young persons responsible these may be minor or irrelevant issues, but to others they can be deleterious and of significance. This source of conflict could be substantially minimised by a combination of better management of the exterior of rented properties and an awareness by the Cleansing Department of the need for a greater intensity of service to such a high density area. The case of the residents of 35, Carnarvon Street devising an environmental improvement scheme is likely to be fairly atypical of multiple occupants. However active and financial encouragement, if possible, of such proposals from the local authority would physically and psychologically help minimise this aspect of the conflict to a great extent. Not only would such a scheme in a physical sense be attractive to owner-occupiers but also it would serve to convince them



that some young people living in multiple occupancies have a desire to upgrade the quality of their external environment.

The final two themes involved in this conflict tend to be less widespread than the others. One is the effect of single young person accommodation and multiple occupancy on the market value of surrounding property. Genuine fear is often expressed that the effect is one of lowering values. The contrary can also be true, as for example in the building in Wilton Street, or the commercial value to potential lettors could inflate prices. This factor is thus one subject to complex variables changing over time and spatially. The final factor is prejudice itself. Both sides in this debate can be intolerant and condemnatory of the other's life-style. The owner-occupier class are perhaps the more culpable. They tend to typecast all neighbouring young people as 'students' and often react emotionally and over-critically to their way of life. An official of the Environmental Health Department illustrated this prejudice when asked about the effects of multiple occupancies on an area, he replied "that it is impossible to continue normal family life. If students moved in beside me I'd complain. I don't want them staying near me because I couldn't let my children play outside." Where prejudice of this nature exists from either side of the debate, the situation is in deadlock.

Thus it appears that this conflict of interests does not have its source in the internal specifications and standards of multi-occupied houses. Better management could help resolve one of the factors in this debate, but the others are predominantly caused by clashes of life-style. The multiple occupancy legislation is not appropriate, therefore, to minimising this conflict. Either greater tolerance on both sides of the other's way of life will have to be nurtured or planners will have to adopt a policy of segregating or zoning areas of young single persons

and multiple-occupied accommodation. This has the inherent disadvantage of promoting housing class or occupancy type ghettos.

Another of the external components of the practical application of the legislation on multiple occupancy is the role of neighbours, residents associations and community activists, particularly with respect to the complaints method of stimulating official action. The reason that the Environmental Health Department employs this ad hoc system is because their manpower and financial resources do not permit them to undertake surveys of areas with a high rate of multiple occupancy. Only one survey has been carried out in the Strathbungo area of Camphill.

A questionnaire was sent to the ten residents and tenants organisations in the North Kelvin Ward in an attempt to gauge their opinions on aspects of multiple occupation. However this was not successful as only one reply was received. Thus the role of these groups had to be assessed from information received from Councillors and officials and from the few tenants groups that were prepared to comment on the matter. It was generally agreed that the majority of these groups exist to protect the interests of owner-occupiers in these inner city areas, and that this informal remit includes using the multiple occupancy legislation to their advantage when necessary. The extent to which it is used varies between organisations. At one extreme is the attitude of Hillhead Residents Association who recently presented a District Councillor with a list of over twenty properties suspected of being unauthorised multiple occupations. Their intention being to have the tenants evicted and the houses closed. On investigation it was discovered that all the properties were occupied by immigrants. No further action has been taken so far, as the Councillor involved is worried about the apparent racist motive of the complaints. The opposite type of attitude prevails in Park Ward Residents Council. They are tolerant of and adopt a principle of



acceptance of reasonably controlled multi-occupied properties. Although if any such premises were overcrowded or deficient in facilities to the extent where health was endangered, then the Council would report the case to the local authority.

There is no consensus as to the rights and wrongs of tenants groups reporting properties to the District Council. The Environmental Health Department's opinion is that this method works well. They state that most complaints come from the better quality inner city residential areas. Thus they argue, helping to preserve the quality of the areas. The Planning Department on the other hand takes a more cynical view. They believe that a high proportion of complainants have a malicious or prejudiced intent. Although they accept that in some cases justified complaints are made, in that official intervention is required.

The difficulty of making a judgement on this method of discovering multiple occupations is confounded by the fact that no clear principle is publically disclosed. Thus there exists confusion as to whether tenants groups ought to be reporting all suspected cases of multiple occupancies or leaving reasonable situations undisturbed. A public declaration stating the District Council's attitude on this matter would thus allow more informed judgement. However enough evidence exists to cast grave doubts that the complaints method cannot be erratic and malicious in selection.

## 5.2. Internal Components.

The internal implications of enforcing the regulations have two distinct aspects. One concerning the actual standard of amenities required and the other relates to the effects, directly and indirectly, on the tenants.

The internal provisions required in sub-divided houses are per individual unit. If the accommodation is shared by single people, a unit is interpleaded to be one person. Provision (d) of the October, 1972 standards immediately seems unnecessarily high, given the low level of car

ownership in Glasgow. In 1965, a housing survey in the city found that only 12% of private rental tenants owned a car.<sup>34</sup> Although this figure will have certainly increased in the last ten years,<sup>35</sup> and no figure is computable for multiple occupants it is likely that a ratio of one parking place per three units would be a more than adequate provision.

The other internal provisions concerning the sanitary and space requirements have to be seen in a context of management. The Universities, hospitals and some charitable bodies provide purpose built accommodation which theoretically breaches these requirements. However this quasi-private rented accommodation, built with Government finance in some cases does provide a system of management acceptable to the local authority, thus the regulations are not enforced. This also illustrates that young single people do not necessarily want nor need in sanitary terms the level of provisions Glasgow stipulates. Thus the desirability and practical advantages of forms of 'self-catering clustered flats' or 'student houses' has been noted from the private sector and reproduced by these institutions.

Where one or more families live in multiple occupation then the provisions would be not only necessary but desired. Families in such accommodation are now minority component occupants. With respect to single persons sharing, the provisions should also be viewed in terms of desirability and occupancy preferences within minimum sanitary requirements. Table 2 shows the proportion of students living in various types of accommodation in 1975:-

TABLE 2.

Type of accommodation.	Universities in U.K., %	Polytechnics in U.K. %	Total in Scotland %	Total in Eng/Wale %
lodgings or flats	45	65	36	46
colleges or Halls of Residence.	38	30	23	42
At home	17	5	41	12

34. Cullingworth J.B. "A Profile of Glasgow Housing, 1965 Glasgow, 1968, Table 60.

35. An indicator of this trend is given by Social Trends, Vol.6, 1975, which states that 29% of single person households in the U.K. owned a vehicle.



Further it has been estimated that one tenth of all furnished accommodation is let to students.<sup>36</sup> Thus as the proportion of student demand and dependence on this type of accommodation is considerable, their preferences should be noted.

Student surveys have been carried out in numerous individual Universities and Colleges, by the National Union of Students and the Robbins Report. They all indicate a strong preference for some shared or communal facilities.<sup>37</sup> Many further education institutions have responded to this opinion in the forms of recently built residences. For example, at Leeds University 42% of residence places are now in a form similar to multi-occupied houses, where a number of individual rooms are grouped around a communal kitchen and bathroom/toilet. The number sharing would normally be four to six. Stirling University, built in the 1960's, has over 50% of its residences in this flat form. Not all students however prefer this type of accommodation, some desire to be completely self-contained, others the traditional hall of residence or the parental home.

Non-student single people have a different set of priorities and demands as a whole. The Department of the Environment's research on the requirements of the single worker concluded that "a self-contained one or two roomed flat with a kitchen and bathroom would have satisfied the great majority of them".<sup>38</sup> They found that some of the younger single people, particularly those staying in hostels preferred to share accommodation. In fact 75% of the hostels survey were prepared to share bathroom and toilet facilities.<sup>39</sup> The older single people on the local authority's waiting list were overwhelmingly against sharing facilities.

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36. From John Hands, Executive Director of the Society for Co-operative Dwellings (formerly Student co-operative dwellings).

37. See, for example, Helen Cameron "Student Accommodation" University of Glasgow, 1969.

38. Department of the Environment, Design Bulletin 23, "Housing Single People, 1", H.M.S.O., 1971, page 2.

39. *ibid.* p.24.

Table 3 lists a set of standards for various hostels and institutional residences which can be compared with the various multiple occupancy standards, outlined in Chapter 2.2. In general local authority regulations have set standards along the lines of those for hostels. Glasgow is the exception to this. The evidence on internal standards suggests that those required in Glasgow are unnecessarily high. Single persons preferences exhibit a variety of desired types of accommodation and occupancy, with shared or communal arrangements being one of the main preferences. Health and Sanitation are not adversely affected by a controlled level of shared facilities along the broad guidelines of Table 3. The fact that institutional purpose built accommodation is often a form of multiple occupation with the addition of a management system points to the real problem of private sector multiple occupancy. That is, one of management, not necessarily one of internal provisions.

The second area of the internal effects of enforcement concerns the tenants. At present, an enforcement notice means the landlord must either carry out the necessary works to adhere to the required standards or discontinue letting the property as a multiple occupancy. Both alternatives can change the tenants' situation, but in different ways.

If the house is cleared, the tenants are rendered homeless. No rehousing policy is operational in any local authority with multiple occupation powers. The official reason for this in Glasgow is that rehousing would act as a catalyst not a deterrent to the unscrupulous property companies. It is believed that these companies would overcrowd poor quality accommodation to make a quick profit, then leaving the onus of the tenants on the local authority if action was taken. Tenants evicted from a house by enforcement thus again enter the housing market as competitors. It is fair to assume that they will continue in the private rented furnished sector, often seeking a place in another multi-occupied house. Alternative accommodation is not



TABLE 3: SOME RECOMMENDATIONS ON SANITARY FITMENTS COMPARED.

	W.C.	Persons/Fitment		
		bath	wash-basin	shower
Ministry of Education Building Bulletin 15 (Training College Hostels).	5-6	5-6	1	-
Ministry of Health Hospital Building Note 24 (Student Nurses and Domestic Staff).	4-6	4-6	1	4-6
Architects' Journal Information Sheet 1323, 7 April 1965 (for students in hostels, halls of residence and other residential buildings).	4-6	4-6	1	4-6
N.U.S. Policy on Housing, Briefing Document for 1971 Housing Campaign. (Minimum scale acceptable).	6	12	1	12
Student Residence, University Building Notes. Building Bulletin 37, U.G.C./D.E.S. (Minimum scale acceptable).	6	6	1	12
Hostel User Study, P.Allen, B.R.S. Current Paper 50/68, June 1968.	4-6	6	-	-

always easy to find, as the case of the tenants of 44 Herriet Street illustrates. The general decrease in the supply of private lettings and the present regulations on sub-divided houses exacerbate the search difficulties.

If the landlord decides to carry out the work it may require him making a substantial investment. Improvement grant aid is available only if the dwellings are converted into self-contained units. Thus the grant aid structure benefits the Glasgow landlord more than those elsewhere, because the standards in Glasgow require the formation of self-contained units, whereas other local authorities permit a degree of sharing. The consequence of conversion will almost certainly increase the rental of premises to suit the higher quality and recoup the increased investment. This has the effect of excluding potential tenants in the lower income brackets or on student grants in many instances. A further consequence will be to lower the number of occupants as living space will be converted to kitchen and bathroom space.

### 5.3. The Role of the Local Authority.

There are three component groups in any enforcement case; landlords, tenants and the local authority. Analysis of the case studies should thus include comment on the implications for the third of these, the local authority.

Direct and indirect factors of multiple occupation are dealt with by different departments. The Environmental Health Department is responsible for registration and administering the regulations in terms of standards whereas the Planning Department deal with changes of use to multiple occupation and matters relating to the development plan, such as density. The Legal and Administration Department issue enforcement notices, while tenants suffering hardship as a result would contact the Social Work or Housing Departments. Other departments, such as Education or Social Work, may be



managing property or hostel accommodation that in effect breaches the regulations. A view expressed by some officials is that this internal system allows a fair degree of 'passing the buck' on controversial or invidious aspects of the implementation of the legislation. This lack of inter-departmental liason and of corporate policy making prevents consistency in individual departments' attitude towards and interpretation of the legislation.

The main responsibility lies with the Environmental Health officials. Their interpretation of the legislation can affect the rate of inforcement. The department's main concern is building standards in terms of sanitation and amenities. As they see the worst cases of exploitation and poor sanitary conditions occurring in the private sector, their relationship with landlords is usually a negative one. The department thus sees its role to an extent as one of restraining the private landlord. They justify the high standards imposed in Glasgow solely in terms of building conditions.

Multiple occupation has been shown to be a more complex area of housing than merely failing to reach the required standards of amenity provision. It is a form of housing catering for a specialised need. The problems arising from it do not have their main source in the standards but in aspects of management and broad housing policy matters. It thus seems anomalous that much of the responsibility for the control of multiple occupation should rest with a department unconcerned with the wider policy issues.

## CHAPTER 6.

### ALTERNATIVES AND RECOMMENDATIONS.

There exist a number of alternatives and suggested solutions to multiple occupation within the private renting sector. In this chapter we will examine the success of these in the light of the present characteristics of the supply and demand for this type of accommodation. Thus we will have arrived at a position to make recommendations on the future consideration of multiple occupancy. The second half of the chapter attempts to set out such a policy.

#### 6.1. New Built Schemes:

Some of the institutional residences discussed in the previous chapters have been indirectly Government financed. They have been built to cater for particular strata of single young people, such as students or nurses. The Department of the Environment has undertaken experimental schemes for working single people. The reason for this is because:

"local authorities and private developers have so far tended not to cater for the housing needs of single people older than those over retiring age."<sup>40</sup>

They see the provision of single person accommodation as not only "recognising their right to be adequately housed" but also having advantages for the community as a whole in terms of a better use of the housing stock.<sup>41</sup>

One scheme is in Leicester where a 22 storey tower block was designed and built for single people. A variety of types of flats are provided on the assumption that the young, mobile single will want furnished flats, and the middle-aged permanent single will require self-contained unfurnished accommodation for one or two persons. The types of flats provided for the younger group will be both in shared flats for two to four occupants and single bed-sitter flats.

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40. Department of the Environment, Design Bulletin 29,  
"Housing Single People, 2" H.M.S.O., 1974, page 1.

41. *ibid.* page 1.



The shared flats contain single bedrooms, a kitchen/dining/living area and a bathroom/toilet.

A previous survey (Design Bulletin 23) on how single people lived provided much of the information used for the selection of the site, lay-out and requirements of the scheme. An inner city site was thought most suitable because of single peoples' reliance on social contacts and desire to be near the town centre's transport, shopping, social and recreational facilities. Friendship in the block is encouraged naturally by the internal arrangements of the entrance hall/sitting area and the provision of lounges. Many single people need to use certain services in the evening. Thus the block has its own laundry facilities and late night shop. There is a caretaker who, in addition to running the shop supervises cleaning and maintenance and takes deliveries and messages. His presence is to assist the tenants not supervise them, thus the dwellings are treated like private homes and not as rooms in a hostel.

The Department of the Environment believe there is a continuing demand for this type of accommodation and expect other local authorities to emulate Leicester's example. The scheme has not been appraised by an users survey as yet, it is however fully occupied. It is hoped that monitoring of all such schemes will lead to published conclusions in the near future. If the initial schemes are successful many other local authorities may see this experiment as a valid method of catering for the specialised needs of single people. Multiple occupation is one form of accommodation provided. Again this shows that properly managed multiple occupancy is a valid and desired housing form for a section of the community.

Voluntary housing or the 'third arm' of housing has been responsible for a very small proportion of all new houses. Since the setting up of the Housing Corporation in 1964, an average of 1.6% of new houses each year is built in

this sector. The only new built houses for private renting are of the 'luxury' or 'executive' class. Thus the voluntary sector has concentrated much of its efforts on satisfying specialised needs or those neglected by local authority housing policies.

Other European countries have realised the potential of voluntary housing in the form of housing associations and co-operatives. In Denmark, housing associations and co-operatives account for over one-third, and in West Germany and Holland over a quarter of total new housing. This potential has remained relatively untapped in Britain. However some schemes have been undertaken in the form of new built and conversions of existing property. In this section we will examine some of the purpose built schemes for single people that are forms of multiple occupation.

The first purpose built estate for a housing co-operative financed with a Housing Corporation loan, was the Sandford Co-operative in the London Burgh of Lewisham. This pilot project took five years of intensive lobbying before the Department of the Environment gave its administrative consent. The estate was formally opened on 1st October, 1974. It consists of fourteen communal houses and six one-room flats for couples. Each house is designed to accommodate ten single people and contains ten bedrooms each with a wash-basin, two bathrooms, three toilets and a kitchen. All the accommodation is furnished.

The financial affairs are organised on a co-operative agreement. The repayment of the loan, running costs and pooled costs are the components of the weekly rent. A room in one of the houses costs £7.00 per week and the double flats are £10.00. Each of the 146 tenants are equal shareholders of the co-operative society and owners of the estate. One share costs £25, which is repayed when a tenant leaves and sold to the incoming tenant. The 'landlord' is the co-operative society, that is, the tenants themselves.



The scheme's financial responsibilities and its legal position are the major determinants of the management framework. The Society for Co-operative Dwellings acts as the managing agent for administration and execution of the co-operative's policies only. One of the Society's Housing Officers is a Secretary and responsible for liason between the various groups and organisations involved. This job will eventually be taken over by one of the tenants. In all other respects the co-operative is autonomous. A Committee of Management is elected by the tenants to take the decision making responsibility. This Committee consists of 15 tenants, one elected from each house and one from the six flats. Each Committee member looks after one area of the duties and responsibilities. Their work includes rent collection which done by the tenants themselves and handed over to the Society for Co-operative Dwellings by the treasurer. The Committee also decides criteria for selection of new tenants and has the final decision on applications. A further aspect of this management framework is the responsibility for dealing with broken tenancy agreements and notices to quit which are also under tenants' control.

Not all co-operatives are for young, single people living in communal houses as in Sandford. Many community based or neighbourhood co-operatives exist. For example, in Liverpool, the Granby Housing Co-operative has bought and improved 89 houses. Membership is not restricted to the existing tenants so that any resident of the Granby district can apply. Many other similar schemes throughout the country are in an embryonic state. The development of new built co-operative schemes as an alternative to privately let multiple occupancies is at too early a stage to allow informed judgement on its success. The amount of interest shown in the operational schemes does however indicate that they will have an increasing role in satisfying future housing needs. The purpose and philosophy of housing

co-operatives is not simply as an answer to multiple occupation or single person needs but is conceived as an alternative form of social ownership in housing, based on co-operative principles.

A third possible alternative to private sector multiple occupancy is in local authority housing. There are a number of difficulties involved in allocating Council houses to those who would otherwise live in a multi-occupied dwelling. The first of these concerns the general housing problems of inner city areas where, naturally, priority is given to families in need. For example, local authorities have a statutory responsibility to rehouse everyone in slum clearance or redevelopment areas. But in practice, single people, students and often childless couples are not rehoused and left usually with no choice but to search for alternative accommodation in the private rented sector. Another difficulty is that many local authorities may require some form of residential qualification before an application is eligible. The general rule is that, new local authority housing does not provide for the young, mobile single. Thus given present policy new public house building will not contain a valid alternative to multiple occupation.

#### 6.2. Alternatives within the Existing Housing Stock.

The adaption of the existing stock to provide shared accommodation outwith the private sector is another form of multiple occupation acceptable to local authorities. The main initiative for this type of conversion has been in the field of student accommodation. The main growth was during the 1960's so that by 1972 three thousand students were living in converted houses and another three thousand places were planned for.

Several factors contributed to this growth in conversions. One of the major factors was financial. The University Grants



Committee changed its policy from grant financed halls of residence to loan financing at the beginning of the 1960's. Loan financing was also made available for conversions. Some projects secured funds from other sources, such as private donations and the Historic Buildings Council who have assisted schemes in Edinburgh and Newcastle. Conversions are not necessarily cheaper per unit place than new built accommodation. But they can be made cheaper by creating smaller, less luxurious units and by attracting local authority improvement grants in some instances. Other factors influencing the growth were the advantages of flexibility in usage and spatially over purpose built accommodation. And the increasing student preference for this more independent form of institutional residence.

The majority of Universities and many colleges now provide some of their accommodation in the form of converted houses. For example, Hull University has over 1200 students in such houses. In Glasgow, both Universities have utilised this form of accommodation. The typical social unit is small, usually under twenty tenants, occupying usually inner city, nineteenth century buildings. The usual form converted is large terraced houses or detached villas. Sometimes a block of terraces or tenement flats are adapted for shared use. The houses are very popular with students, not least because the rent level is well below traditional halls of residence rents.

Again we find that many of these houses are, in theory, unauthorised multiple occupancies. A stone built two-storey mansion converted for use by 28 female students at Strathclyde University illustrates this. This house in the south-west of the city, contains four single rooms, twelve double rooms, one kitchen and three bathroom/toilets. A warden and an assistant warden live in the premises. This form of multiple occupancy is acceptable to Glasgow District Council because the management is controlled although the amenities and

standards do not meet the requirements of local legislation.

Some local authority housing could also be used in some instances for single person shared accommodation. At present the Glasgow District Council is becoming more aware of the needs of single people, particularly students. Recent Central Government and Scottish Development Department circulars (No.98/1975) have invited local housing authorities to examine student housing problems. Glasgow District Council has responded by offering a limited number of peripheral council houses to students. They are unlikely to be acceptable in that many are sub-standard and remote in terms of accessibility and the social facilities of the inner city. It should be noted that these houses have been consistently refused by families on the waiting list for a local authority house. Thus they are being offered to students in preference to leaving post-war housing empty and liable to greater depreciation in condition. A more acceptable move by the local authority would be to lease accommodation due for demolition for short periods if the property is habitable. Students and other young people are often mobile and frequent movers, thus property with a short life of, for example, two years could be utilised.

Another method of adapting the existing stock to this use would be to permit greater use of mortgages by single people. Building Societies inhibit young single people from owner-occupation in two ways. Firstly by being loath to lend to single persons, preferring to deal with families who are perceived as more secure options. Secondly by the policy of pronouncing 'gray areas' within which they refuse to finance buyers. These areas are often the inner city areas of nineteenth century housing where many young people prefer to stay. The local authority could also expand its role as a mortgagor by encouraging single persons to enter the owner-occupier sector. One method of jointly held mortgages has been adopted in Nottingham and Newcastle.



In this way a group of single people would be able to pool resources and be economically eligible, whereas individually they may not have been.

Since the 1974 Housing Act, the Housing Corporation has been allowed to provide dwellings by improvement and conversion. Before this Act only new built schemes could be financed by the Housing Corporation. In Glasgow housing associations in improved properties are predominantly community based. The special needs of some homeless families and families in need of social care have been catered for to a lesser extent. A housing association or co-operative has not been formed for single people. However ideas and suggestions are being discussed by a number of groups. The Shelter Housing Aid Centre together with other volunteers tried to start negotiations on a new built scheme similar in size and aim to the Sandford Co-operative in London. Glasgow University is also believed to be interested in seeking registration for a housing association in the west end of the city.

The Housing Corporation in Glasgow is keen and willing that schemes for single people should go ahead. However at present schemes adapting and improving existing property would have to adhere to the regulations for multi-occupied houses. There is a good case for the regulations to be waived for such schemes. University residences of the traditional hall type are already exempt and although housing associations are unlikely to have wardens, an adequate management framework would be necessary. Assuming the regulations were waived, the Housing Corporation believes the most suitable solution for young single people would be a number of co-operative houses. The houses would ideally accommodate eight to twelve people in single rooms, with communal living room, kitchen and bathroom/toilet facilities. The houses would be tenant controlled, although the Housing Corporation would hold the final rights of possession if necessary.

The concept of housing associations and co-operatives

adapting existing property for use by single young people in multiple or shared occupancies appears to have the potential of solving many of the present conflicts. None of the ideas have yet been converted into reality thus the effectiveness of this solution can only be speculated on. It has been shown that the source of the conflicts and problems caused by multiple occupancy is not necessarily sanitary standards but often inadequate management. Associations and co-operatives would provide a management code and more importantly have the potential to engender a greater interest by the tenants of their environment. They would also fulfill most of the demands and preferences of tenants in multiple occupancies. That is; fairly low rents, independence, privacy when required, facility for easy and natural social interaction and benefit from the ancillary community amenities.

No policy on housing is likely to be a panacea. There are foreseeable disadvantages and difficulties with young peoples' associations and co-operatives. One such difficulty would be furniture, as the Housing Corporation's usual policy is to let unfurnished. Another difficulty could be organised opposition to the schemes from neighbours and residents organisations. There is also a political uncertainty involved. It is feasible that under a worsened economic situation or different political climate financing of the Housing Corporation and social ownership of this kind would cease. The potential advantages seem to outweigh the disadvantages. It should be possible then to overcome the disadvantages, particularly if a number of local authorities adopt such policies.

### 6.3. Recommendations.

From our study it is apparent that there is a serious need for local authorities, particularly Glasgow, to re-examine their policy towards multiple occupancy. In this section we will outline suggestions for the direction of



this re-examination and for the management and control of multi-occupied houses.

Firstly, multiple occupation must be considered a part of wider housing policies. To create an equitable distribution of the housing resource, local authorities have to make the existing stock flexible enough to accommodate specialist housing needs such as those of single young people. The local authority should also be aware of the preference for forms of multiple occupancy among young people. For many it is a period of transition and independence and a valid stage in the housing life-cycle. Families involuntarily living in unsuitable multiple occupancies should deserve rehousing priority in relation to their needs.

The present regulations aim to protect tenants from excessive exploitation from private landlordism, stabilize the social infrastructure of a community and improve the physical conditions and amenity level of the housing stock. The means of implementing this aim is to progress towards self-containment within sub-divided dwellings. The standards required for each unit thus effectively legislates against any form of multiple occupancy in the private sector. This study however has shown that the source of the present unsatisfactory aspects of multiple occupation does not lie with the standard of amenity provision. In terms of health and sanitation internal facilities need only be in the order of the basic hostel levels (see Table 3). The source of the present dissatisfaction is threefold. Firstly the type of properties used as multiple occupations are often in need of substantial financial investment to remedy structural faults and to upgrade maintenance levels. Secondly management is often inadequate. A sensitive and appropriate code of management could ensure greater attention to detail, with respect to for example, refuse collection and external tidiness. The third aspect is related to the

first two in many cases, that of social conflicts in neighbourhoods with a high rate of multiple occupation. In terms of solving the unsatisfactory aspects of multiple occupancy at the source, the present regulations are inappropriate and essentially negative in approach.

The ideal solution to multiple occupancy could be provided by the Housing Corporation. Through financing and administering housing associations and co-operatives to cater for those currently in multiple occupation, the present difficulties could be solved and tenants' needs and preferences satisfactorily accommodated. The Housing Corporation can more readily provide the necessary financial investments than the private landlord. Thus benefiting neighbouring owner-occupiers and the total housing stock by prolonging the expected life of the buildings. A comprehensive management code, allowing the tenants to decide policies, could be drawn up. The tenants would all be equal shareholders in co-operative schemes and this could stimulate a greater interest in their environment and help prevent alienation from the community. The elimination of poor management and maintenance would diminish much of the social friction in a neighbourhood.

A policy on these lines is obviously a long-term one. It could also offer advantageous effects to the community. It would result in better use of the existing stock and provide a controlled supply of accommodation for young people. This would allow greater freedom of choice of workplace or place of study. By diminishing the social friction young people would gradually become acceptable in inner city residential areas. The form of social ownership of this scheme could have fundamental repercussions on society's attitudes and values towards housing. This form of social ownership can give tenants real control over their homes and lives. And as it is based on mutual aid and the ideals of co-operative principals it can stimulate the development



of a community life.

In the short term control of multiple occupation in the private sector should concentrate on maintenance and management. The standards of sanitary requirements ought to be amended to allow adequate provision on the hostel guidelines. The management code could formalise the landlord/tenant relationship to ensure a competence of administration and maintenance on the local authority side, one department should be responsible for multiple occupation. Jurisdiction should lie with the department best suited to dealing with the supply of a specialised form of housing within an overall policy framework on single person accommodation. The multi-occupied stock could be upgraded where individually necessary or as part of a neighbourhood improvement scheme. Thus the displacement effects of conversion to self-contained units would be diminished and consequently the pressure on the private rented sector would decrease.

## CHAPTER 7.

### CONCLUSION.

The concept of shared accommodation or multiple occupation is one which possesses two long standing but different images. One is where institutional shared accommodation for single people has been a successful and preferred form of housing. It has existed as such for centuries through monasteries, colleges, Universities and hostels. The other image is that of families sharing overcrowded and unsanitary dwellings, associated with the popular images of the work-house and areas like the Gorbals in the early twentieth century and the landlord sharks operating in this type of situation. The acceptability of the former and unacceptability of the latter is the result of the quality of the maintenance and administration of the accommodation, not in the concept of shared accommodation itself.

This study has shown that these two traditional types of multiple occupancy have fused in a particular way over the last decade or so. Single people, in particular young single people, have moved into the private rented furnished sector to live in small groups sharing facilities. Similarly the vast majority of families previously in multiple occupancy have been rehoused through comprehensive redevelopment programmes or improvement schemes. The legislation, aimed at protecting and improving the physical conditions of multiple occupants, has failed to recognise this change in character. That families in poor quality shared housing need legislative protection and more suitable conditions is undeniable. The present legislation has the power to do this. However with respect to single people, who are now the dominant proportion of multiple occupants, it fails in its aim because it fails to recognise the needs and demands of the occupants



and the source of present dissatisfaction and conflict. Glasgow's regulations demand such high standards to be in effect legislating against any form of private sector multiple occupation. Such a negative approach, inappropriate and without positive consideration of housing needs, will in the long term only increase conflict and hardship and add to the housing difficulties for sections of the community.

In this light, it is felt that local authority policy towards multiple occupancy requires re-examination. This re-examination should be based on a positive policy for the housing of single people to satisfy the components of need and demand, and to minimise the conflicts in the community caused by bad management and maintenance of privately let multiple occupancies. To do this the local authority must accept in principle that multiple occupation is a valid interim form of housing for a growing number of people. The long-term implications of such an approach could be beneficial in two ways. Firstly the existing housing stock could be made more flexible in its ability to cater for specialised patterns of usage within safeguards to ensure proper maintenance and prevent exploitation and overcrowding of tenants. Secondly a positive approach could help nurture a more responsive attitude to the external environment from the tenants and prevent housing difficulties having an adverse effect on tenants' work and study.

It is recommended that the long-term solution with the greatest potential lies with the activities of the Housing Corporation in providing housing associations and co-operative schemes for single persons. Although much of this type of accommodation would be in adaptations of existing stock it cannot provide an instant solution. In the interim legislative concentration should be on aspects of management and maintenance of houses in multiple occupation, not on enforcing strict amenity/person ratios. In this way the local authority would be fulfilling its responsibility to equitably and justly distribute the scarce commodity of housing with regard to policies based on users' needs.

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